

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
142-36 (LS)	Frank Blas Jr.	AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ADDING MORE PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR	5/25/21 2:23 p.m.	5/28/21	Committee on Health, Land, Justice, and Culture	9/15/21 2:30 p.m.	11/12/21 4:30 p.m. As amended by the Committee on Health, Land, Justice and Culture	Request: 5/28/21 Waiver: 6/4/21	



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

November 4, 2021

The Honorable Tina Rose Muña Barnes

Chairperson, Committee on Rules

I Mina'trentai Sais na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña Guam, 96910

VIA: The Honorable Amanda L. Shelton
Acting Chairperson, Committee on Rules

SUBJECT: Committee Report on Bill No. 142-36 (LS)- As Amended

Håfa Adai Acting Chairperson Shelton:

Transmitted herewith is the Committee Report on the **Bill No. 142-36 (LS)- As Amended by the Committee on Health, Land, Justice and Culture- Introduced by Senator Frank Blas Jr. – "AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ADDING MORE PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR."**

Committee votes are as follows:

<u>2</u>	TO DO PASS
<u>0</u>	TO NOT PASS
<u>3</u>	TO REPORT OUT ONLY
<u>0</u>	TO ABSTAIN
<u>0</u>	TO PLACE IN INACTIVE FILE

COMMITTEE ON RULES
RECEIVED:

November 4, 2021

8:28 A.M.

Sincerely,

Speaker Therese M. Terlaje

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT

Bill No. 142-36 (LS),

As Amended by the Committee on Health, Land,
Justice, and Culture

Introduced by:
Senator Frank Blas Jr.

**“AN ACT TO AMEND §25.30 OF CHAPTER 25,
TITLE 9, GUAM CODE ANNOTATED RELATIVE
TO ADDING MORE PROTECTION FOR MINOR
VICTIMS UNDER THE OFFENSE OF 4TH DEGREE
CRIMINAL SEXUAL CONDUCT AND ENSURING
THAT THE OFFENSE OF 4TH DEGREE CRIMINAL
SEXUAL CONDUCT AGAINST A MINOR CANNOT
BE REDUCED FROM A FELONY OF THE THIRD
DEGREE TO A MISDEMEANOR.”**



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

November 1, 2021

MEMORANDUM

To: All Members
Committee on Health, Land, Justice and Culture

From: Speaker Therese M. Terlaje *TMT*
Committee Chairperson

Subject: Committee Report on Bill No. 142-36 (L), As Amended

Transmitted herewith for your consideration is the Committee Report on **Bill No. 142-36 (LS)- As Amended by the Committee on Health, Land, Justice and Culture- Introduced by Senator Frank Blas Jr.** – “AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ADDING MORE PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.”

This report includes the following:

- Copy of COR Referral of Bill No. 142-36 (COR)
- Notices of Public Hearing & Other Correspondence
- Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Written Testimonies & Supporting Documents
- Committee Report Digest
- Copy of Bill No. 142-36 (LS), As Introduced
- Copy of Bill No. 142-36 (LS), As Amended by the Committee on Health, Land, Justice, and Culture
- Amended Mark-up Version
- Copy of Fiscal Note Waiver from the Bureau of Budget & Management Research
- Committee Vote Sheet

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlaje@gmail.com | www.senatorterlaje.com

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Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guahan

GUAM CONGRESS BUILDING

163 CHALAN SANTO PAPA

HAGATNA, GUAM 96910

TEL 671-472-2461

COR@GUAMLEGISLATURE.ORG

May 27, 2021

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Ana Won Pat-Borja
Legislative Legal Counsel

From: Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules

Re: Referral of Bill No. 142-36 (LS)

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 142-36 (LS) – Frank F. Blas, Jr. – “AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.”

Please ensure that the subject bill is referred to the **Committee on Health, Land, Justice, and Culture**, chaired by Speaker Therese M. Terlaje.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,


Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

FIRST NOTICE of Virtual Public Hearing – Wednesday, September 15, 2021 beginning at 9:00 AM

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Sep 8, 2021 at 6:55 AM

To: phnotice@guamlegislature.org

Cc: Audio / Video <av@guamlegislature.org>, Ibarra Hernandez <ihernandez@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>

Bcc: psablan@guampdn.com, mangilao.vicemayor@gmail.com, Troy Torres <troy@kanditnews.com>, Mayor Taitague <talofomayor@gmail.com>, manasilva626@yahoo.com, "Wen, Anne" <AWen@guam.gannett.com>, mtmmayorpaco17@gmail.com, haidee@postguam.com, lloretleones@gmail.com, agatvice.chrisfejeran@yahoo.com, Phil Leon Guerrero <phil@postguam.com>, pattiontheradio@yahoo.com, life@guampdn.com, "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, hagatnamayor@hotmail.com, rudy iriarte <rudyiriarte@gmail.com>, Robert Hofmann <guammayor@gmail.com>, dmgeorge@guampdn.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, jolene@spbgguam.com, Sorensen Pacific Broadcasting <news@spbgguam.com>, K57 <news@k57.com>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, "Stole, Jasmine" <jstole@guam.gannett.com>, inalahanmayor@gmail.com, ymayortony@gmail.com, KISH <kstokish@gmail.com>, Guam PDN <news@guampdn.com>, michael ko <gktv23@hotmail.com>, raygibsonshow@gmail.com, mayorerneestc@yahoo.com, Chris Malafunkshun Barnett <Chris@kuam.com>, Maureen Maratita <publisher@glimpsesofguam.com>, Mai Habib <mai.habib@spbgguam.com>, Bruce Hill <pacificjournalist@gmail.com>, emmanuel@mvariety.com, KPRG <admin.kprg@gmail.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Jason Salas <jason@kuam.com>, John Oconnor <john@postguam.com>, carlsonc@pstripes.osd.mil, onedededo@gmail.com, The Post Editor in Chief <editor@postguam.com>, Rindraty Limtiaco <slimtiaco@guampdn.com>, atoves.tatuha@gmail.com, Jessie Bautista <jessie.bautista007@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, bryan@mvariety.com, reporters@postguam.com, KPRG Guam <pdkprg@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, guam@pstripes.osd.mil, "Limtiaco, Steve" <slimtiac@guam.gannett.com>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, tlamorena@gmail.com, mabuhaynews@yahoo.com, Patti Rodriguez <parroyo@spbgguam.com>, Kelly Park <kcn.kelly@gmail.com>, Sabrina Salas Matanane <sabrina@kuam.com>, June Blas <mayorbarrigada@gmail.com>, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, "Santo Tomas, Joseph (Jojo)" <jsantotoma@guam.gannett.com>, mindy@postguam.com, Jessy Gogue <ocp.mayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Desk Editor <deskeditor@postguam.com>, Kevin Kerrigan <kevin@spbgguam.com>, gerry@spbgguam.com, Jesse Alig <jesse.alig@pitiguam.com>, GovGU Meeting <govguammeetings@oagguam.org>, agatmayor@yahoo.com, Nestor Licanto <nestor@kuam.com>, dcristos@guam.gannett.com, Dale Alvarez <daleealvarez@gmail.com>, editor@saipantribune.com, akaur@gannett.com, rlimtiaco@guampdn.com, junhan@mvariety.com, reporters@kuam.com, Stephen Hattori <sphattori@guampdsc.org>, "Honorable Robert J. Torres" <guamjustice@hotmail.com>, "abarcinas@guamcourts.org" <abarcinas@guamcourts.org>, "amendiola@guamcourts.org" <amendiola@guamcourts.org>, "horeckylaw@teleguam.net" <horeckylaw@teleguam.net>, Marissa Antonio <mantonio@guamcourts.org>, "Ryan T. Balajadia" <rbalajadia@guamcourts.org>, "jesannicolas@guamcourts.org" <jesannicolas@guamcourts.org>, "vperez@guamcourts.org" <vperez@guamcourts.org>, "tpangelinan@guamsupremecourt.com" <tpangelinan@guamsupremecourt.com>, "mgogue@guamcourts.org" <mgogue@guamcourts.org>, "cdominguez@guamcourts.org" <cdominguez@guamcourts.org>, "rvaguon@guamcourts.org" <rvaguon@guamcourts.org>, "asukola@guamcourts.org" <asukola@guamcourts.org>, "aquenga@guamcourts.org" <aquenga@guamcourts.org>, "mdollet@guamcourts.org" <mdollet@guamcourts.org>, "cmariano@guamcourts.org" <cmariano@guamcourts.org>, "jludwig@guamsupremecourt.com" <jludwig@guamsupremecourt.com>, "lingles@guamcourts.org" <lingles@guamcourts.org>, Barbara Perez <bperez@guamcourts.org>, "laguon@guamcourts.org" <laguon@guamcourts.org>, "kbaird@guamcourts.org" <kbaird@guamcourts.org>, Evelyn Santos <esantos@guamcourts.org>, "mcenzon@guamcourts.org" <mcenzon@guamcourts.org>, Marcelene Santos <msantos@opg.guamcourts.org>, "jquintanilla@guamcourts.org"

<jquintanilla@guamcourts.org>, "dperez@guamcourts.org" <dperez@guamcourts.org>, "Jacqueline S.C. Terlaje" <jsterlaje@guamcourts.org>, "cchargualaf@guamcourts.org" <cchargualaf@guamcourts.org>, Danielle Rosete <drosete@guamcourts.org>, "jacque.terlaje@terlajelaw.com" <jacque.terlaje@terlajelaw.com>, "legal@terlajelaw.com" <legal@terlajelaw.com>, "salokoa@guamsupremecourt.com" <salokoa@guamsupremecourt.com>, "eiriarte@guamcourts.org" <eiriarte@guamcourts.org>, "kblaz@guamcourts.org" <kblaz@guamcourts.org>, "jpcepeda@guamcourts.org" <jpcepeda@guamcourts.org>, "gcepeda@guamcourts.org" <gcepeda@guamcourts.org>, "ycruz@guamcourts.org" <ycruz@guamcourts.org>, "ica@aguigui.com" <ica@aguigui.com>, "rjtorres@guamsupremecourt.com" <rjtorres@guamsupremecourt.com>, Virginia Yasuhiro <vyasuhiro@guamcourts.org>, "lcaburian@guamcourts.org" <lcaburian@guamcourts.org>, "rcruz@guamcourts.org" <rcruz@guamcourts.org>, "dblas@guamcourts.org" <dblas@guamcourts.org>, "akeith@guamcourts.org" <akeith@guamcourts.org>, "bbalbas@guamcourts.org" <bbalbas@guamcourts.org>, "eeschbach@guamsupremecourt.com" <eeschbach@guamsupremecourt.com>, "alimtiaco@guamcourts.org" <alimtiaco@guamcourts.org>, "jmannion@guamcourts.org" <jmannion@guamcourts.org>, Rosaline Salas Yellowhorse <rsyellowhorse@guamcourts.org>, "hgutierrezarroyo@guamsupremecourt.com" <hgutierrezarroyo@guamsupremecourt.com>, "kamaraman@guamsupremecourt.com" <kamaraman@guamsupremecourt.com>, "atolentino@guamsupremecourt.com" <atolentino@guamsupremecourt.com>, "bsison@guamcourts.org" <bsison@guamcourts.org>, "vtenorio@guamcourts.org" <vtenorio@guamcourts.org>, "alamorenaiii@guamcourts.org" <alamorenaiii@guamcourts.org>, "Cynthia C. Sablan" <csablan@guamcourts.org>, "Petrina M. Ula" <pula@guamsupremecourt.com>, L Long <dasoroad@gmail.com>, Guam Bar Association <info@guambar.org>, [REDACTED]@gmail.com, varoguam1@yahoo.com, Fanohge Coalition <fanohgecoalition@gmail.com>, "Joseph M. Borja" <joseph.borja@land.guam.gov>, Walter Leon Guerrero <walter.leonguerrero@epa.guam.gov>, Nic Rupley <nic.rupley@epa.guam.gov>, Leinani Naholowa'a [REDACTED]@hotmail.com>, Diana Calvo <dianacalvo@cssguam.org>, info@guamcoalition.org, Jayne Therese Flores <jayne.flores@guam.gov>, Marcia Gladney@fe.navy.mil, "Mae D. Muyco" <MaeFe.Muyco@dphss.guam.gov>, Krisinda Aguon <krisinda.aguon@dya.guam.gov>, Carlina Charfauros <ccharfauros@oagguam.org>, "Tenorio, Tricia" <tricia.tenorio@archagana.org>, Pale' Mike Crisostomo [REDACTED]@yahoo.com>, Dwayne at GCASAFV <dwayne@guamcoalition.org>, stephen ignacio <stephen.ignacio@gpd.guam.gov>, Leevin Camacho <ag@oagguam.org>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, Camarine Ann Hopkins <camhopkins@oagguam.org>, Carlina Charfauros <ccharfauros@guamag.org>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, Chelsa Muna-Brecht <chelsa.munabrecht@agriculture.guam.gov>, Vince Arriola <vince.arriola@dpw.guam.gov>

September 8, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice and Culture

Subject: **FIRST NOTICE of Virtual Public Hearing – Wednesday, September 15, 2021
beginning at 9:00 AM**

Buenas yan Håfa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing, using the Legislature's virtual Zoom platform on **Wednesday, September 15, 2021, beginning at 9:00 a.m.**, for the following agenda items:

9:00 AM:

• **BILL No. 185-36(COR)- Sabina F. Perez** - AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1, MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THEIR HEADQUARTERS. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20185-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20185-36%20(COR).pdf)

• **Bill No. 156-36 (COR)- V. Anthony Ada / Christopher M. Dueñas / James C. Moylan**- AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A REMEDY FOR PUBLIC AND PRIVATE NUISANCES. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20156-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20156-36%20(COR).pdf)

2:00 PM

• **Bill No. 142-36 (LS)- Frank Blas Jr.**- AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20(LS).pdf)

• **Bill No. 143-36 (LS)- Frank Blas Jr.** - AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20143-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20143-36%20(LS).pdf)

• **Bill No. 144-36 (LS)- Frank Blas Jr.** - AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20144-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20144-36%20(LS).pdf)

The public is invited to provide live testimony on the agenda items via Zoom.

Email senatorterlajeguam@gmail.com or call 472-3586 by Sept. 14, 2021, to register with your contact information. Written testimony may also be submitted via email or to the Guam Congress Bldg; 163 Chalan Santo Papa, Hagåtña, Guam. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and the Guam Legislature YouTube.

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accommodations can contact the Office of Speaker Therese M. Terlaje.

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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FIRST NOTICE OF VIRTUAL PUBLIC HEARING- SEPTEMBER 15, 2021_TMT.pdf

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

September 8, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson *Tmt*
Committee on Health, Land, Justice and Culture

Subject: **FIRST NOTICE of Virtual Public Hearing Wednesday, September 15, 2021 beginning at 9:00 AM**

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• **Bill No. 156-36 (COR)- V. Anthony Ada / Christopher M. Dueñas / James C. Moylan AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A REMEDY FOR PUBLIC AND PRIVATE NUISANCES.**

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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2:00 PM

- **Bill No. 142-36 (LS)- Frank Blas Jr.** AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.
- **Bill No. 143-36 (LS)- Frank Blas Jr.** AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT.
- **Bill No. 144-36 (LS)- Frank Blas Jr.** AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION.

The public is invited to provide live testimony on the agenda items via Zoom. Email senatorterlajeguam@gmail.com or call 472 3586 by Sept. 14, 2021, to register with your contact information. Written testimony may also be submitted via email or to the Guam Congress Bldg; 163 Chalan Santo Papa, Hagåtña, Guam. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and the Guam Legislature YouTube.

In compliance with the Americans with Disabilities Act, Individuals needing assistance or accommodations can contact the Office of Speaker Therese M. Terlaje.

COVID-19 self-attestation fraud charges will be filed 'on a case-by-case basis'

“The decision to pursue criminal charges will be made on a case-by-case basis and criminal action may be taken when warnings, education efforts and community policing are not enough.”

—Carlina Charfauros, spokeswoman, Guam Office of the Attorney General

By Phill Leon Guerrero
phill@postguam.com

Guam's attorney general will exercise discretion if residents are suspected of falsely reporting their COVID-19 vaccination status on government self-attestation forms, meaning, while some could be prosecuted for misdemeanors, others may not be charged.

“The Office of the Attorney General discourages anyone from lying on a government form, and anyone who does could face potential criminal charges,” said Carlina Charfauros, the office's spokesperson. “The decision to pursue criminal charges will



SIGN-IN: Customers are required to show proof of vaccination and sign in if they want to dine in at the Micronesia Mall food court, as seen Aug. 30. The attorney general's office will prosecute on a “case-by-case” basis those who lie on these forms. David Castro/The Guam Daily Post

be made on a case-by-case basis and criminal action may be taken when warnings, education efforts and community policing are not enough.”

Just over a week ago, the Department of Public Health and Social Services released updated guidance on how restaurants, gyms, bars and other businesses must comply with pandemic restrictions ordered by Gov. Lou Leon Guerrero. In response to a rise in numbers of cases and hospitalizations, the governor mandated, among other things, a

requirement for customers to show they are vaccinated against COVID-19 before entering the premises of establishments where mask-wearing may be compromised.

Businesses covered by the order can choose to accept a customer's “self-attestation” of their vaccination status, provided an official government log is used. This document warns residents that false statements made on the form could result in “criminal penalties for committing perjury, false statement under oath or unsworn falsification.”

But the attorney general, not DPHSS, decides how far violations are pursued in local courts.

“The strongest enforcement efforts

to contain the spread of COVID-19 continue to be community and self-policing. We must hold ourselves and one another accountable if we want to be successful at protecting our island,” Charfauros said.

Establishments are not required to accept self-attestations. The guidance issued by DPHSS advises businesses they can choose to implement more stringent requirements, such as asking to see copies of vaccination cards or accepting only customers who have received both doses of a two-dose COVID-19 vaccine. Those who accept self-attestations must maintain the logs for 30 days, and present them upon the request of public health officials.

SPEAKER THERESE M. TERLAJE
Committee on Health, Land, Justice & Culture
I Mina'trentai Sais na Liheslaturan Guahan

NOTICE OF VIRTUAL PUBLIC HEARINGS
Wednesday, September 15, 2021

9:00 AM:

- 185-36(COR)- Sabina F. Perez - AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1, MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THEIR HEADQUARTERS.
- 156-36 (COR)- V. Anthony Ada / Christopher M. Duenias / James C. Moylan - AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A REMEDY FOR PUBLIC AND PRIVATE NUISANCES.

2:00 PM

- 142-36 (LS)- Frank Blas Jr. - AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.
- 143-36 (LS)- Frank Blas Jr. - AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT.
- 144-36 (LS)- Frank Blas Jr. - AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION.

The public is invited to submit testimony on the agenda items via Zoom. Email: senatorterlaje@gmail.com or call 472-3586 by **Sat 14 2021** to register to provide virtual testimony. Written testimony can be submitted via email or to the Guam Congress Bldg 163 Chalan Santo Papa, Hagåtña, Guam. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and the Guam Legislature YouTube. In compliance with the Americans with Disabilities Act, Individuals needing assistance or accommodations can contact the Office of Speaker Therese M. Terlaje. This Ad was paid with Legislature Funds.

CONTRACTORS LICENSE BOARD
Inetnon Malisensiyen Kontratista

542 North Marine Corps Drive A. - Tamuning, Guam 96913
Tel: 649-2211/9676 | Fax: 649-2210 | Website: www.clb.guam.gov

NOTICE OF GOVERNMENT MEETING

The Contractors License Board regular board meeting will be held on **Wednesday, September 15, 2021 at 10:00 a.m.** at the Contractors License Board conference room, located at 542 North Marine Corps Drive in Upper Tumon. NOTE: Please adhere to the social distancing, hand sanitizing and wearing of face mask. For any special accommodations, please contact 649-2211/9676.

This is paid for by the Contractors License Board.

NOTICE

In accordance with the order of the Banking and Insurance Commissioner, Island Home Insurance Company (IHC) hereby announces its intention to effect a distribution of surplus in September 2021 from its unassigned surplus as of December 31, 2020. Under applicable National Association of Insurance Commissioners (NAIC)'s guidelines for total capital and surplus, following the distribution, IHC will have a total capital and surplus base which is significantly more than the minimum required by NAIC to underwrite its risk portfolio and to meet operating requirements.



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

SECOND NOTICE of Virtual Public Hearing – Wednesday, September 15, 2021 beginning at 9:00 AM

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Mon, Sep 13, 2021 at 7:46 AM

To: phnotice@guamlegislature.org

Cc: Audio / Video <av@guamlegislature.org>, Guam MIS <mis@guamlegislature.org>

Bcc: psablan@guampdn.com, mangilao.vicemayor@gmail.com, Troy Torres <troy@kanditnews.com>, Mayor Taitague <talofomayor@gmail.com>, manasilva626@yahoo.com, "Wen, Anne" <AWen@guam.gannett.com>, mtmmayorpaco17@gmail.com, haidee@postguam.com, lloretleones@gmail.com, agatvice.chrisfejeran@yahoo.com, Phil Leon Guerrero <phil@postguam.com>, pattiontheradio@yahoo.com, life@guampdn.com, "Mayors' Council of Guam - Admin." <mcogadmin@teleguam.net>, hagatnamayor@hotmail.com, rudy iriarte <rudyiriarte@gmail.com>, Robert Hofmann <guammayor@gmail.com>, dmgeorge@guampdn.com, "Mayor Frankie A. Salas" <asanmainamayor@gmail.com>, jolene@spbgguam.com, Sorensen Pacific Broadcasting <news@spbgguam.com>, K57 <news@k57.com>, "Mayor Paul M. McDonald" <mayor.mcdonald671@gmail.com>, "Stole, Jasmine" <jstole@guam.gannett.com>, inalahanmayor@gmail.com, ymayortony@gmail.com, KISH <kstokish@gmail.com>, Guam PDN <news@guampdn.com>, michael ko <gktv23@hotmail.com>, raygibsonshow@gmail.com, mayorerneestc@yahoo.com, Chris Malafunkshun Barnett <Chris@kuam.com>, Maureen Maratita <publisher@glimpsesofofguam.com>, Mai Habib <mai.habib@spbgguam.com>, Bruce Hill <pacificjournalist@gmail.com>, emmanuel@mvariety.com, KPRG <admin.kprg@gmail.com>, Maria Louella Losinio <louella.losinio@gmail.com>, Jason Salas <jason@kuam.com>, John Oconnor <john@postguam.com>, carlsonc@pstripes.osd.mil, onedededo@gmail.com, The Post Editor in Chief <editor@postguam.com>, Rindraty Limtiaco <slimtiaco@guampdn.com>, atoves.tatuha@gmail.com, Jessie Bautista <jessie.bautista007@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, Oyaol Ngirairikl <managingeditor@postguam.com>, bryan@mvariety.com, reporters@postguam.com, KPRG Guam <pdkprg@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, guam@pstripes.osd.mil, "Limtiaco, Steve" <slimtiac@guam.gannett.com>, Mar-Vic Cagurangan <publisher@pacificislandtimes.com>, tlamorena@gmail.com, mabuhaynews@yahoo.com, Patti Rodriguez <parroyo@spbgguam.com>, Kelly Park <kcn.kelly@gmail.com>, Sabrina Salas Matanane <sabrina@kuam.com>, June Blas <mayorbarrigada@gmail.com>, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, Manuel Cruz <cruzma812@gmail.com>, "Santo Tomas, Joseph (Jojo)" <jsantotoma@guam.gannett.com>, mindy@postguam.com, Jessy Gogue <ocp.mayor@gmail.com>, Allan Ungacta <mayorallan.ungacta@yahoo.com>, Pacific Island Times <pacificislandtimes@gmail.com>, Desk Editor <deskeditor@postguam.com>, Kevin Kerrigan <kevin@spbgguam.com>, gerry@spbgguam.com, Jesse Alig <jesse.alig@pitiguam.com>, GovGU Meeting <govguammeetings@oagguam.org>, agatmayor@yahoo.com, Nestor Licanto <nestor@kuam.com>, dcristos@guam.gannett.com, Dale Alvarez <daleealvarez@gmail.com>, editor@saipantribune.com, akaur@gannett.com, rlimtiaco@guampdn.com, junhan@mvariety.com, reporters@kuam.com, Stephen Hattori <sphattori@guampdnsc.org>, "Honorable Robert J. Torres" <guamjustice@hotmail.com>, "abarcinas@guamcourts.org" <abarcinas@guamcourts.org>, "amendiola@guamcourts.org" <amendiola@guamcourts.org>, "horeckylaw@teleguam.net" <horeckylaw@teleguam.net>, Marissa Antonio <mantonio@guamcourts.org>, "Ryan T. Balajadia" <rbalajadia@guamcourts.org>, "jesannicolas@guamcourts.org" <jesannicolas@guamcourts.org>, "vperez@guamcourts.org" <vperez@guamcourts.org>, "tpangelinan@guamsupremecourt.com" <tpangelinan@guamsupremecourt.com>, "mgogue@guamcourts.org" <mgogue@guamcourts.org>, "cdominguez@guamcourts.org" <cdominguez@guamcourts.org>, "rvaguon@guamcourts.org" <rvaguon@guamcourts.org>, "asukola@guamcourts.org" <asukola@guamcourts.org>, "aquenga@guamcourts.org" <aquenga@guamcourts.org>, "mdollet@guamcourts.org" <mdollet@guamcourts.org>, "cmariano@guamcourts.org" <cmariano@guamcourts.org>, "jludwig@guamsupremecourt.com" <jludwig@guamsupremecourt.com>, "lingles@guamcourts.org" <lingles@guamcourts.org>, Barbara Perez <bperez@guamcourts.org>, "laguon@guamcourts.org" <laguon@guamcourts.org>, "kbaird@guamcourts.org" <kbaird@guamcourts.org>, Evelyn Santos <esantos@guamcourts.org>, "mcenzon@guamcourts.org" <mcenzon@guamcourts.org>, Marcelene Santos <msantos@opg.guamcourts.org>, "jquintanilla@guamcourts.org" <jquintanilla@guamcourts.org>, "dperez@guamcourts.org" <dperez@guamcourts.org>, "Jacqueline S.C. Terlaje"

<jsterlaje@guamcourts.org>, "cchargualaf@guamcourts.org" <cchargualaf@guamcourts.org>, Danielle Rosete <drosete@guamcourts.org>, "jacque.terlaje@terlajelaw.com" <jacque.terlaje@terlajelaw.com>, "legal@terlajelaw.com" <legal@terlajelaw.com>, "salokoa@guamsupremecourt.com" <salokoa@guamsupremecourt.com>, "eiriarte@guamcourts.org" <eiriarte@guamcourts.org>, "kblaz@guamcourts.org" <kblaz@guamcourts.org>, "jpcepeda@guamcourts.org" <jpcepeda@guamcourts.org>, "gcepeda@guamcourts.org" <gcepeda@guamcourts.org>, "ycruz@guamcourts.org" <ycruz@guamcourts.org>, "ica@aguigui.com" <ica@aguigui.com>, "rjtorres@guamsupremecourt.com" <rjtorres@guamsupremecourt.com>, Virginia Yasuhiro <vyasuhiro@guamcourts.org>, "lcaburian@guamcourts.org" <lcaburian@guamcourts.org>, "rcruz@guamcourts.org" <rcruz@guamcourts.org>, "dblas@guamcourts.org" <dblas@guamcourts.org>, "akeith@guamcourts.org" <akeith@guamcourts.org>, "bbalbas@guamcourts.org" <bbalbas@guamcourts.org>, "eeschbach@guamsupremecourt.com" <eeschbach@guamsupremecourt.com>, "alimtiaco@guamcourts.org" <alimtiaco@guamcourts.org>, "jmannion@guamcourts.org" <jmannion@guamcourts.org>, Rosaline Salas Yellowhorse <rsyellowhorse@guamcourts.org>, "hgutierrezarroyo@guamsupremecourt.com" <hgutierrezarroyo@guamsupremecourt.com>, "bsison@guamcourts.org" <bsison@guamcourts.org>, "vtenorio@guamcourts.org" <vtenorio@guamcourts.org>, "alamorenaiii@guamcourts.org" <alamorenaiii@guamcourts.org>, "Cynthia C. Sablan" <csablan@guamcourts.org>, L Long <dasoroad@gmail.com>, Guam Bar Association <info@guambar.org> [REDACTED]@gmail.com, varoguam1@yahoo.com, Fanohge Coalition <fanohgecoalition@gmail.com>, "Joseph M. Borja" <joseph.borja@land.guam.gov>, Walter Leon Guerrero <walter.leonguerrero@epa.guam.gov>, Nic Rupley <nic.rupley@epa.guam.gov>, Leinani Naholowa'a [REDACTED]@hotmail.com, Diana Calvo <dianacalvo@cssguam.org>, info@guamcoalition.org, Jayne Therese Flores <jayne.flores@guam.gov>, Marcia Gladney@fe.navy.mil, "Mae D. Muyco" <MaeFe.Muyco@dphss.guam.gov>, Krisinda Aguon <krisinda.aguon@dya.guam.gov>, Carlina Charfauros <ccharfauros@oagguam.org>, "Tenorio, Tricia" <tricia.tenorio@archagana.org>, Pale' Mike Crisostomo [REDACTED]@yahoo.com, Dwayne at GCASAFV <dwayne@guamcoalition.org>, stephen ignacio <stephen.ignacio@gpd.guam.gov>, Leevin Camacho <ag@oagguam.org>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, Camarine Ann Hopkins <camhopkins@oagguam.org>, Carlina Charfauros <ccharfauros@guamag.org>, "Arthur U. San Agustin" <arthur.sanagustin@dphss.guam.gov>, Masatomo Nadeau <masatomo.nadeau@dphss.guam.gov>, Chelsa Muna-Brecht <chelsa.munabrecht@agriculture.guam.gov>, Vince Arriola <vince.arriola@dpw.guam.gov>, rjtorres@guamcourts.gov, eeschbach@guamcourts.gov, hgutierrezarroyo@guamcourts.gov, "Petrina M. Ula" <pula@guamcourts.gov>, fbcabullido@guamcourts.gov, Edwin Reyes <edwin.reyes@bsp.guam.gov>, Miguel Bordallo <mcbordallo@guamwaterworks.org>

September 13, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson
Committee on Health, Land, Justice and Culture

Subject: **SECOND NOTICE of Virtual Public Hearing – Wednesday, September 15, 2021 beginning at 9:00 AM**

Buenas yan Håfa Adai,

Please be advised that the Committee on Health, Land, Justice and Culture will convene a virtual public hearing, using the Legislature's virtual Zoom platform on **Wednesday, September 15, 2021, beginning**

at 9:00 a.m., for the following agenda items:

9:00 AM:

• **BILL No. 185-36(COR)- Sabina F. Perez** - AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1, MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THEIR HEADQUARTERS. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20185-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20185-36%20(COR).pdf)

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2:00 PM

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Email senatorterlajeguam@gmail.com or call 472-3586 by Sept. 14, 2021, to register with your contact information. Written testimony may also be submitted via email or to the Guam Congress Bldg; 163 Chalan Santo Papa, Hagåtña, Guam. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and the Guam Legislature YouTube.

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Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeg Guam@gmail.com

website: www.senatorterlaje.com

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SECOND NOTICE OF VIRTUAL PUBLIC HEARING- SEPTEMBER 15, 2021_TMT.pdf

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Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

September 13, 2021

MEMORANDUM

To: All Senators, Stakeholders and Media

From: Speaker Therese M. Terlaje, Chairperson ^{Tmt}
Committee on Health, Land, Justice and Culture

Subject: **SECOND NOTICE of Virtual Public Hearing Wednesday, September 15, 2021 beginning at 9:00 AM**

Buenas yan Håfa Adai,

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9:00 AM:

- **BILL No. 185-36(COR)- Sabina F. Perez - AN ACT TO TRANSFER LOT NO. 10122 14NEW R1, MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THEIR HEADQUARTERS.**
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2:00 PM

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- **Bill No. 143-36 (LS)- Frank Blas Jr.** AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT.
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In compliance with the Americans with Disabilities Act, Individuals needing assistance or accommodations can contact the Office of Speaker Therese M. Terlaje.



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Wed, Sep 8, 2021 at 10:40 AM

To: Leevin Camacho <ag@oagguam.org>, "Stephanie E. Mendiola" <smendiola@oagguam.org>, "Leevin T. Camacho" <lcamacho@guamag.org>

Cc: Camarine Ann Hopkins <camhopkins@oagguam.org>, Carlina Charfauros <ccharfauros@oagguam.org>

September 8, 2021

Transmitted via Electronic Mail:

Honorable Leevin Camacho, Attorney General of Guam
Office of the Attorney General
ag@oagguam.org

Stephanie Mendiola, Deputy Attorney General
General Counsel, Office of the Attorney General of Guam
smendiola@oagguam.org

SUBJECT: Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

Hafa Adai Attorney General Camacho:

The Committee on Health, Land, Justice & Culture will convene a Virtual Public Hearing on **Wednesday, September 15, 2021, beginning at 9:00 a.m.** utilizing the Guam Legislature's Zoom virtual hearing platform, on the following agenda items:

9:00 AM: (Bill No. 156-36 is the second item on the 9AM agenda)

• **Bill No. 156-36 (COR)- V. Anthony Ada / Christopher M. Dueñas / James C. Moylan-**
AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE
ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A
REMEDY FOR PUBLIC AND PRIVATE NUISANCES. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20156-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20156-36%20(COR).pdf)

2:00 PM

Bill No. 142-36 (LS)- Frank Blas Jr.- AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20(LS).pdf)

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You or your representative are cordially invited to attend and provide feedback on any of the agenda items. Please confirm attendance at senatorterlajeguam@gmail.com or (671) 472-3586. The hearing link and virtual hearing guidance will be emailed to you 48 hours prior to the hearing. Written testimony can also be submitted via email, should you not be able to attend.

Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajegum@gmail.com
website: www.senatorterlaje.com

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20 years after 9/11, one of the last US Marines killed in Afghanistan comes home

(Reuters) – U.S. Marine Sergeant Johnny Rosario returned to her hometown in Massachusetts in a casket on Saturday, one of the last American service members killed in Afghanistan during a war set in motion exactly two decades ago by the Sept. 11, 2001 attacks.

Several hundred people gathered near the Farrah Funeral Home in Lawrence, Mass., where Rosario's remains arrived in a black hearse with a police motorcycle escort. Marines in dress uniform carried the casket into the funeral home, as veterans in the crowd, some of whom had not worn a uniform in years, snapped to attention.

"We came out because she is a hero to us," said Mary Beth Chosse, who waited for several hours with her 12-year-old son, Gavin. Chosse's older son is a Marine on active duty. "Sergeant Rosario's sacrifice and bravery should always be remembered."

Rosario, 25, was among 13 U.S. service members killed in an Aug. 26 suicide bombing outside the Hamid Karzai International Airport in Afghanistan's capital Kabul. She was helping to screen evacuees at a checkpoint at the airport's Abbey Gate when the bomb ripped through a crowd. Scores of Afghans also were killed in the attack.

The last U.S. troops left Afghanistan four days later.

About 7,000 U.S. military personnel have been killed in conflicts tied to the Sept. 11 attacks, with about 2,500 of



GRIEVING: Family members react as the remains of Marine Corps Sgt. Johnny Rosario Pichardo, who was among 13 U.S. service members killed in the airport suicide bombing in Afghanistan's capital Kabul, arrive at Logan international airport in Boston, Massachusetts, Sept. 11. Jonathan Wiggs/Pool via Reuters

those deaths happening in Afghanistan, according to the Costs of War project at Brown University's Watson Institute. The financial cost of those conflicts runs to nearly \$6 trillion, according to the project.

Like many Americans, Sheila Arias, 41, remembers Sept. 11, 2001 in vivid detail. She was at a hair salon in Lawrence when she watched the twin towers of New York's World Trade Center collapse after al Qaeda hijackers seized control of two airplanes and crashed them into the buildings. Hijacked airplanes would also crash into the Pentagon outside Washington

and a field in Shanksville, Pennsylvania. [read more](#)

Arias soon after enlisted in the U.S. Army, leaving a comfortable, steady job as a clerk in Lawrence's water department to join the military effort to root out al Qaeda.

"There was no question that I had to serve," Arias said. "I'm sure Johnny Rosario felt the same way."

'Always remember her name'

Rosario, who was 5-years-old when the attacks occurred, would begin her service years later, when the United States was already deeply involved in Afghanistan.

Shortly after graduating from high school in 2014, she enlisted and landed with the 5th Marine Expeditionary Brigade.

Eventually she would become a supply chief, a role usually held by a more senior noncommissioned officer, according to the Marines, and volunteered to be a member of the female engagement team to interact with Afghan women, barred by local custom from talking to male strangers.

Just three months before her death, she was recognized with an award for her attention to detail and expertise in tracking and reconciling some \$400,000 worth of open supply requisitions.

On Saturday, a group of her friends from Lawrence High School huddled near the steps of the funeral home. Wearing black face masks, they spoke of Rosario's desire to serve her country, take college courses and financially support her family.

One of the women, who like the others declined to give her name, cradled a framed picture of Rosario in a formal gown.

"I can't talk. I would just cry," the woman said.

Like many residents in Lawrence, a working-class city about 30 miles (48 km) north of Boston with a strong Hispanic community, Rosario's roots extend to the Dominican Republic and Puerto Rico, said William Lantigua, a former mayor of the city who knows her family.

SPEAKER THERESE M. TERLAJE
Committee on Health, Land, Justice & Culture
I Mina'trentai Sais na Liheslaturan Guahan

NOTICE OF VIRTUAL PUBLIC HEARINGS
Wednesday, September 15, 2021

9:00 AM:

- 185-36(COR)- Sabina F. Perez - AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1, MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THEIR HEADQUARTERS.
- 156-36 (COR) - V. Anthony Ada / Christopher M. Dueñas / James C. Moylan - AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A REMEDY FOR PUBLIC AND PRIVATE NUISANCES.

2:00 PM

- 142-36 (LS) - Frank Blas Jr. - AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.
- 143-36 (LS) - Frank Blas Jr. - AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT.
- 144-36 (LS) - Frank Blas Jr. - AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION.

The public is invited to submit testimony on the agenda items via Zoom. Email: senatorterlajegum@gmail.com or call 472-3586 by **Sat 14 2021** to register to provide virtual testimony. Written testimony can be submitted via email or to the Guam Congress Bldg. 163 Chalan Santa Rosa, Hagåtña, Guam. All hearings broadcast on GTA TV Channel 21, Docomo Channel 117/112.4, and the Guam Legislature YouTube. In compliance with the Americans with Disabilities Act, Individuals needing assistance or accommodations can contact the Office of Speaker Therese M. Terlaje. This Ad was paid with Legislature Funds.

Message of Appreciation
We, the family of the late

Carmelita Moscoso Santos
"Lita"

wish to express our heartfelt appreciation
to all our relatives and friends, and to
everyone for your support and for sharing
with us your love, prayers and condolences
during our moments of sorrow.

Maraming Salamat Po
The Family



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

September 8, 2021

Transmitted via Electronic Mail:

Honorable Leevin Camacho, Attorney General of Guam
Office of the Attorney General
ag@oagguam.org

Stephanie Mendiola, Deputy Attorney General
General Counsel, Office of the Attorney General of Guam
smendiola@oagguam.org

SUBJECT: Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

Hafa Adai Attorney General Camacho:

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Honorable Attorney General Leevin Camacho

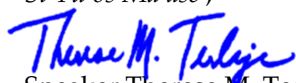
Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

• **Bill No. 144-36 (LS)- Frank Blas Jr. - AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION.** Bill

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Si Yu'os Ma'åse',



Speaker Therese M. Terlaje



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>
To: stephen ignacio <stephen.ignacio@gpd.guam.gov>

Wed, Sep 8, 2021 at 10:30 AM

September 8, 2021

Transmitted via Electronic Mail:

Stephen Ignacio, Chief of Police
Guam Police Department
stephen.ignacio@gpd.guam.gov

SUBJECT: Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

Hafa Adai Chief Ignacio:

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AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE
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Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

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36th Guam Legislature

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Office of the Speaker **THERESE M. TERLAJE**

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Committee on Health, Land, Justice and Culture

September 8, 2021

Transmitted via Electronic Mail:

Stephen Ignacio, Chief of Police
Guam Police Department

stephen.ignacio@gpd.guam.gov

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PROSECUTION. Bill

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Si Yu'os Ma'åse',



Speaker Therese M. Terlaje



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>
To: Guam Bar Association <info@guambar.org>

Wed, Sep 8, 2021 at 4:51 PM

September 8, 2021

Transmitted via Electronic Mail:**Jacqueline Taitano Terlaje, President**

Guam Bar Association

info@guambar.org**SUBJECT:** Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM*Hafa Adai* President Terlaje:

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Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

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September 8, 2021

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Guam Bar Association
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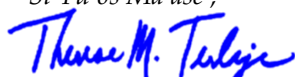
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Jacqueline Taitano Terlaje, President, Guam Bar Association
Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20144-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20144-36%20(LS).pdf)

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Si Yu'os Ma'åse',



Speaker Therese M. Terlaje



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>
To: Cynthia Cabot <cynthia@guamcoalition.org>

Wed, Sep 8, 2021 at 5:11 PM

September 8, 2021

Transmitted via Electronic Mail:

Cynthia Cabot, Executive Director
Guam Coalition Against Sexual Assault & Family Violence
cynthia@guamcoalition.org

SUBJECT: Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

Hafa Adai Executive Director Cabot:

The Committee on Health, Land, Justice & Culture will convene a Virtual Public Hearing on **Wednesday, September 15, 2021, beginning at 9:00 a.m.** utilizing the Guam Legislature's Zoom virtual hearing platform, on the following agenda items:

9:00 AM: (Bill No. 156-36 is the second item on the 9AM agenda)

• **Bill No. 156-36 (COR)- V. Anthony Ada / Christopher M. Dueñas / James C. Moylan-**
AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE
ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A
REMEDY FOR PUBLIC AND PRIVATE NUISANCES. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20156-36%20\(COR\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20156-36%20(COR).pdf)

-

2:00 PM

Bill No. 142-36 (LS)- Frank Blas Jr.- AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20(LS).pdf)

• **Bill No. 143-36 (LS)- Frank Blas Jr. -** AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20143-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20143-36%20(LS).pdf)

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Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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website: www.senatorterlaje.com

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Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

September 8, 2021

Transmitted via Electronic Mail:

Cynthia Cabot, Executive Director
Guam Coalition Against Sexual Assault & Family Violence
cynthia@guamcoalition.org

SUBJECT: Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

Hafa Adai Executive Director Cabot:

The Committee on Health, Land, Justice & Culture will convene a Virtual Public Hearing on **Wednesday, September 15, 2021, beginning at 9:00 a.m.** utilizing the Guam Legislature's Zoom virtual hearing platform, on the following agenda items:

9:00 AM: (Bill No. 156-36 is the second item on the 9AM agenda)

- **Bill No. 156-36 (COR)- V. Anthony Ada / Christopher M. Dueñas / James C. Moylan-** AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A REMEDY FOR PUBLIC AND PRIVATE NUISANCES. Bill
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Bill No. 142-36 (LS)- Frank Blas Jr.- AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR. Bill

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Cynthia Cabot, Executive Director, Guam Coalition Against Sexual Assault & Family Violence
Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 9:00 AM

• **Bill No. 144-36 (LS)- Frank Blas Jr. - AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION. Bill**

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Si Yu'os Ma'åse',


Speaker Therese M. Terlaje



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 2:00 PM

1 message

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>
To: Judith Won Pat [REDACTED], varoguam1@yahoo.com

Wed, Sep 8, 2021 at 5:18 PM

September 8, 2021

Transmitted via Electronic Mail:Dr. Judith Won Pat, President
Victims' Advocates Reaching Out (VARO)
[REDACTED]Dr. Julie Ulloa-Heath, Executive Director
Victims' Advocates Reaching Out (VARO)
varoguam1@yahoo.com**SUBJECT:** Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 2:00 PM*Hafa Adai* Executive President Won Pat and Executive Director Ulloa-Heath:

The Committee on Health, Land, Justice & Culture will convene a Virtual Public Hearing on **Wednesday, September 15, 2021, beginning at 2:00 PM** utilizing the Guam Legislature's Zoom virtual hearing platform, on the following agenda items:

Bill No. 142-36 (LS)- Frank Blas Jr.- AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR. Bill link: [http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20\(LS\).pdf](http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20142-36%20(LS).pdf)

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• **Bill No. 144-36 (LS)- Frank Blas Jr. -** AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION. Bill link: http://www.guamlegislature.com/36th_Guam_Legislature/Bills_Introduced_36th/Bill%20No.%20144-

[36%20\(LS\).pdf](#)

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Si Yu'os Ma'åse',

Speaker Therese M. Terlaje

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture

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36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

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Committee on Health, Land, Justice and Culture

September 8, 2021

Transmitted via Electronic Mail:

Dr. Judith Won Pat, President
Victims' Advocates Reaching Out (VARO)
[REDACTED]

Dr. Julie Ulloa-Heath, Executive Director
Victims' Advocates Reaching Out (VARO)
varoguam1@yahoo.com

SUBJECT: Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 2:00 PM

Hafa Adai Executive President Won Pat and Executive Director Ulloa-Heath:

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link: [http://www.guamlegislature.com/36th Guam Legislature/Bills Introduced 36th/Bill%20No.%2014-2-36%20\(LS\).pdf](http://www.guamlegislature.com/36th%20Guam%20Legislature/Bills%20Introduced%2036th/Bill%20No.%202014-2-36%20(LS).pdf)

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Dr. Judith Won Pat, President, Victims' Advocates Reaching Out (VARO)
Dr. Julie Ulloa-Heath, Executive Director, Victims' Advocates Reaching Out (VARO)
Invitation to Virtual Public Hearing- Wednesday, September 15, 2021, beginning at 2:00 PM

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Si Yu'os Ma'åse',



Speaker Therese M. Terlaje



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

VIRTUAL PUBLIC HEARINGS

Wednesday, September 15, 2021

Beginning at 9:00 AM

AGENDA:

9:00 AM:

- 185-36(COR)- Sabina F. Perez - AN ACT TO TRANSFER LOT NO. 10122-14NEW-R1, MUNICIPALITY OF DEDEDO, FORMERLY KNOWN AS THE DEDEDO SOLID WASTE TRANSFER STATION TO THE GUAM ENVIRONMENTAL PROTECTION AGENCY FOR THEIR HEADQUARTERS.

- 156-36 (COR)- V. Anthony Ada / Christopher M. Dueñas / James C. Moylan- AN ACT TO ADD A NEW § 10107 TO CHAPTER 10, TITLE 20, GUAM CODE ANNOTATED RELATIVE TO ADDING CIVIL ORDERS OF ABATEMENTS AS A REMEDY FOR PUBLIC AND PRIVATE NUISANCES.

2:00 PM

- 142-36 (LS)- Frank Blas Jr.- AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.

- 143-36 (LS)- Frank Blas Jr. - AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT.

- 144-36 (LS)- Frank Blas Jr. - AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION.

The hearings will also stream online via *I Liheslaturan Guåhan's* live feed at http://www.guamlegislature.com/live_feed.htm. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing. In compliance with the Americans with Disabilities Act, individuals requiring assistance or accommodations should contact the Office of Speaker Therese M. Terlaje at 472-3586 or email senatorterlajeguam@gmail.com. We look forward to your participation! *Si Yu'os Ma'åse'!*

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Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice & Culture

Date: **Wednesday, September 15, 2021**

Time: **2:00 PM**

VIRTUAL PUBLIC HEARING: Bill No. 142-36 (LS)- Frank Blas Jr.- AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.

	NAME	ADDRESS	CONTACT NO.	E-MAIL	Type of Testimony		Support	
					WRITTEN	ORAL	Yes	No
1	John P. Morrison, Deputy Director, Public Defender Service Corporation					X		X
2	Stephanie Mendiola, Deputy Attorney General, Office of the Attorney General of Guam				X	X		X
3	Christine Tenorio, Assistant Attorney General, Office of the Attorney General of Guam					X		X
4								
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9								
10								
					Page 1 of 1			



Office of the Attorney General of Guam

590 S. Marine Corps Drive, Suite 901 ♦ Tamuning, GU 96913

Phone (671) 475-3324 ♦ Fax (671) 477-4703 ♦ ag@oagguam.org ♦ oagguam.org

Hon. Leevin Taitano Camacho
Attorney General of Guam

VIA E-MAIL

senatorterlajeguam@gmail.com

Honorable Therese M. Terlaje
I Mina'trentai Sais na Liheslaturan Guahan
163 Chalan Santo Papa
Hagatna, Guam 96932

RE: Testimony on Bill No. 143-36 (COR)

Hafa Adai Madam Speaker:

Thank you for the opportunity to provide this testimony in support of Bill No. 142-36 (COR).

Over a hundred Criminal Sexual Conduct cases are referred to our office each year, some of which involve children as young as four years old, and most of which involve a parent, other relative, household member, or authoritative figure as the actor. We are supportive of legislative efforts aimed at curbing this horrendous behavior, including those proposed by this bill.

Under current law, Fourth Degree CSC occurs when a person engages in sexual contact with another person and either:

- force or coercion is used to accomplish the sexual contact; or
- the actor knows or has reason to know the victim is mentally defective, mentally incapacitated, or physically helpless.

When read together with the related provisions defining First, Second, and Third Degree CSC, in effect, Fourth Degree CSC involving minors is applicable when:

- the victim is age 14, 15, 16, or 17 and the actor is a non-family/household member; or
- the victim is age 16 or 17 and the actor is a family/household member.

However, because the definition of Fourth Degree CSC does not specify an age range, in contrast to First, Second, and Third Degree CSC, age alone is not enough. To sustain a charge of Fourth Degree CSC against minors 16 years and older, the

government must also establish either of the elements identified above: use of force or coercion, or knowledge of mental defect/incapacitation or physical helplessness. Although Fourth Degree CSC is classified as a third degree felony, an exception exists when the actor is a first-time offender, in which case it is reduced to a misdemeanor. To put it another way, a first-time offender, who engages in unlawful sexual contact with a child 14-17 years of age, faces a misdemeanor charge¹; a repeat offender, faces a felony charge.

That said, we support the proposal of Bill 142 to specify an age range for Fourth Degree CSC, however, we recommend amending the proposal such that the standalone age range includes 14 and 15 year olds:

“(3) the victim is at least fourteen (14) years of age and under sixteen (16) years of age.”

This approach affords both respect for, and reconciliation with, our age-of-consent law.² To be clear, this does not eliminate the ability to prosecute Fourth Degree CSC where victims are 16 or 17; those cases will continue to be charged under the existing framework.

Lastly, we support the proposed amendments to subsection (b) to uphold felony charges where the victim of Fourth Degree CSC is a minor and limiting the exception for a misdemeanor reduction for first-time offenders only in cases where the victim is an adult, and do not propose substantive changes. We do, however, propose revised phrasing for consideration:

“(b) Criminal sexual conduct in the fourth degree is a felony of the third degree, except for first-time offenders it is a misdemeanor where the actor is a first-time offender and the victim, at the time of the offense, is eighteen (18) years of age or older.

Thank you, again, for this opportunity and for your consideration. We hope we may look forward to passage of this bill as another step forward in protecting our children especially from this type of egregious harm.

Sinseramente,


Stephanie E. Mendiola
General Counsel/Deputy Attorney General

¹In comparison, a person who damages another person's car, faces a felony charge. 9 GCA §§ 34.50(d) and 34.60(a).

² 8 GCA § 10.25 (Definition of Age of Consent).



Office of the Attorney General of Guam

590 S. Marine Corps Drive, Suite 901 ♦ Tamuning, GU 96913

Phone (671) 475-3324 ♦ Fax (671) 477-4703 ♦ ag@agguam.org ♦ www.agguam.org

Hon. Leevin Taitano Camacho
Attorney General of Guam

October 21, 2021

VIA E-MAIL

senatorterlajeguan@gmail.com

The Honorable Therese M. Terlaje
Chairperson, Committee on Justice
I Mina'trentai Sais na Liheslaturan Guahan
163 Chalan Santo Papa
Hagåtña, Guam 96932

RE: Follow-up to Public Hearings on Bill Nos. 142- & 143-36 (LS)

Hafa Adai Madam Speaker:

This is to provide additional information as a follow-up to the September 15, 2021 public hearings on Bill Nos. 142-36 (LS), relative to Criminal Sexual Conduct crimes involving minors, and 143-36 (LS), relative to the same involving adults with special authority in the education setting.

As requested, **attached** is the text of the related criminal sexual conduct statutes in Hawai'i and California.

Regarding the request for statistics on convictions, we first would like to clarify that the goal of the criminal justice system, which includes the prosecution arm of government, is to achieve justice. We remain committed to adhering to the process and procedures of the criminal legal system in our pursuit for justice but justice is not measured by conviction rates. Our office cannot guarantee outcomes, but our prosecutors come to work each day pursuing justice for victims, whether it be through a jury verdict or, for example, in cases where a victim may not be willing to handle the trauma of testifying at trial, through plea agreement.

That said, we report the following statistics covering the period of April 2018 to March 2021. Please note these numbers are approximations as we have not yet completed the audit or reconciliation of our data.

<i>*All numbers are approximations</i>	Acquitted by Jury	Conviction by Plea Agreement	Conviction by Jury	Deferred	Dismissed	Pending Final Disposition	Totals
Misdemeanors	3	6	0	0	0	11	20
Felonies	4	25	10	1	2	67	109
Totals	7	31	10	1	2	78	129

Lastly, we also received a request for the number of CSC cases where there is an allegation of sexual penetration. This request was not specifically related to Bill Nos. 142- and 143-36 but because it relates to CSC case statistics we report it here:

Of approximately 115 more recent, active cases, 55 have included an allegation of sexual penetration. This number includes a combination of adult and minor victims.

We hope you find this information helpful. Please let us know if you have any further questions.

Sincerely,


Stephanie E. Mendiola
General Counsel/Deputy Attorney General

Attachment (7 pages)

HAWAII

West's Hawaii Revised Statutes Annotated
Division 5 – Crimes and Criminal Proceedings
Title 37 – Hawaii Penal Code
Chapter 707 – Offenses Against the Person
Part V – Sexual Offenses

§ 707-730. Sexual assault in the first degree

- (1) A person commits the offense of sexual assault in the first degree if the person:
- (a) Knowingly subjects another person to an act of sexual penetration by strong compulsion;
 - (b) Knowingly engages in sexual penetration with a person who is less than fourteen years old;
 - (c) Knowingly engages in sexual penetration with a person who is at least fourteen years old but less than sixteen years old; provided that the actor is:
 - (i) No less than five years older than the minor; and
 - (ii) Not legally married to the minor;
 - (d) Knowingly subjects to sexual penetration a person who is mentally defective; provided that the actor is negligent in not knowing of the mental defect of the victim; or
 - (e) Knowingly subjects to sexual penetration a person who is mentally incapacitated or physically helpless as a result of the influence of a substance that the actor knowingly caused to be administered to the other person without the other person's consent.

Paragraphs (b) and (c) shall not be construed to prohibit practitioners licensed under chapter 453 or 455 from performing any act within their respective practices.

NOTE: Max. imprisonment for a class A felony is 20 years.

- (2) Sexual assault in the first degree is a class A felony.

§ 707-731. Sexual assault in the second degree

- (1) A person commits the offense of sexual assault in the second degree if the person:
- (a) Knowingly subjects another person to an act of sexual penetration by compulsion;
 - (b) Knowingly subjects to sexual penetration a person who is mentally incapacitated or physically helpless;
 - (c) While employed:
 - (i) In a state correctional facility;
 - (ii) By a private company providing services at a correctional facility;
 - (iii) By a private company providing community-based residential services to persons committed to the director of public safety and having received notice of this statute;
 - (iv) By a private correctional facility operating in the State; or
 - (v) As a law enforcement officer as defined in section 710-1000, knowingly subjects to sexual penetration: an imprisoned person; a person confined to a detention facility; a person committed to the director of public safety; a person residing in a private correctional facility operating in the

State; a person in custody; a person who is stopped by a law enforcement officer; or a person who is being accompanied by a law enforcement officer for official purposes; provided that this paragraph shall not be construed to prohibit a law enforcement officer from performing a lawful search pursuant to a warrant or exception to the warrant clause; or

- (d) Knowingly subjects to sexual penetration a person who is at least sixteen years old and the actor is contemporaneously acting in a professional capacity to instruct, advise, or supervise such a person; provided that the actor is:
- (i) No less than five years older than the minor; and
 - (ii) Not legally married to the minor.

Paragraphs (b) and (c) shall not be construed to prohibit practitioners licensed under chapter 453 or 455 from performing any act within their respective practices.

- (2) Sexual assault in the second degree is a class B felony.

NOTE: Max. imprisonment for a class B felony is 10 years.

§ 707-732. Sexual assault in the third degree

- (1) A person commits the offense of sexual assault in the third degree if the person:
- (a) Recklessly subjects another person to an act of sexual penetration by compulsion;
 - (b) Knowingly subjects to sexual contact a person who is less than fourteen years old or causes such a person to have sexual contact with the actor;
 - (c) Knowingly engages in sexual contact with a person who is at least fourteen years old but less than sixteen years old or causes such a person to have sexual contact with the actor; provided that the actor is:
 - (i) No less than five years older than the minor; and
 - (ii) Not legally married to the minor;
 - (d) Knowingly subjects to sexual contact a person who is mentally incapacitated or physically helpless, or causes such a person to have sexual contact with the actor;
 - (e) Knowingly subjects to sexual contact a person who is mentally defective, or causes such a person to have sexual contact with the actor; provided that the actor is negligent in not knowing of the mental defect of the victim;
 - (f) While employed:
 - (i) In a state correctional facility;
 - (ii) By a private company providing services at a correctional facility;
 - (iii) By a private company providing community-based residential services to persons committed to the director of public safety and having received notice of this statute;
 - (iv) By a private correctional facility operating in the State; or
 - (v) As a law enforcement officer as defined in section 710-1000,knowingly subjects to sexual contact, or causes to have sexual contact: an imprisoned person; a person confined to a detention facility; a person committed to the director of public safety; a person residing in a private correctional facility operating in the State; a person in custody; a person who is stopped by a law enforcement officer; or a person who is being accompanied by a law enforcement officer for official purposes; provided that this paragraph shall not be construed to prohibit a law enforcement

- officer from performing a lawful search pursuant to a warrant or an exception to the warrant clause; or
- (g) Knowingly, by strong compulsion, has sexual contact with another person or causes another person to have sexual contact with the actor.

Paragraphs (b), (c), (d), (e), and (f) shall not be construed to prohibit practitioners licensed under chapter 453 or 455 from performing any act within their respective practices; provided that paragraph (f)(v) shall not be construed to prohibit a law enforcement officer from performing a lawful search pursuant to a warrant or an exception to the warrant clause.

- (2) Sexual assault in the third degree is a class C felony.

NOTE: Max. imprisonment for a class C felony is 5 years.

§ 707-733. Sexual assault in the fourth degree

- (1) A person commits the offense of sexual assault in the fourth degree if:
- (a) The person knowingly subjects another person, not married to the actor, to sexual contact by compulsion or causes another person, not married to the actor, to have sexual contact with the actor by compulsion;
 - (b) The person knowingly exposes the person's genitals to another person under circumstances in which the actor's conduct is likely to alarm the other person or put the other person in fear of bodily injury;
 - (c) The person knowingly trespasses on property for the purpose of subjecting another person to surreptitious surveillance for the sexual gratification of the actor; or
 - (d) The person knowingly engages in or causes sexual contact with a minor who is at least sixteen years old and the person is contemporaneously acting in a professional capacity to instruct, advise, or supervise the minor; provided that:
 - (i) The person is not less than five years older than the minor; and
 - (ii) The person is not legally married to the minor.

- (2) Sexual assault in the fourth degree is a misdemeanor.

NOTE: Max. imprisonment for a misdemeanor is 1 year.

- (3) Whenever a court sentences a defendant for an offense under this section, the court may order the defendant to submit to a pre-sentence mental and medical examination pursuant to section 706-603.

(End)

CALIFORNIA

West's Annotated California Codes
Penal Code

Part 1 - Of Crimes and Punishments

Title 9 - Of Crimes Against the Person Involving Sexual Assault, and
Crimes Against Public Decency and Good Morals

§ 288.5. Continuous sexual abuse of a child

(a) Any person who either resides in the same home with the minor child or has recurring access to the child, who over a period of time, not less than three months in duration, engages in three or more acts of substantial sexual conduct with a child under the age of 14 years at the time of the commission of the offense, as defined in subdivision (b) of Section 1203.066, or three or more acts of lewd or lascivious conduct, as defined in Section 288, with a child under the age of 14 years at the time of the commission of the offense is guilty of the offense of continuous sexual abuse of a child and shall be punished by imprisonment in the state prison for a term of 6, 12, or 16 years.

(b) To convict under this section the trier of fact, if a jury, need unanimously agree only that the requisite number of acts occurred not on which acts constitute the requisite number.

(c) No other act of substantial sexual conduct, as defined in subdivision (b) of Section 1203.066, with a child under 14 years of age at the time of the commission of the offenses, or lewd and lascivious acts, as defined in Section 288, involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved in which case a separate count may be charged for each victim.

§ 288.7. Sexual intercourse or sodomy with child 10 years of age or younger; punishment; oral copulation or sexual penetration of child 10 years of age or younger; punishment

(a) Any person 18 years of age or older who engages in sexual intercourse or sodomy with a child who is 10 years of age or younger is guilty of a felony and shall be punished by imprisonment in the state prison for a term of 25 years to life.

(b) Any person 18 years of age or older who engages in oral copulation or sexual penetration, as defined in Section 289, with a child who is 10 years of age or younger is guilty of a felony and shall be punished by imprisonment in the state prison for a term of 15 years to life.

§ 289. Forcible acts of sexual penetration; punishment

(a)(1)(A) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.

(B) Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.

(C) Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.

(D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.

(2) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(b) Except as provided in subdivision (c), any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(c) Any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(d) Any person who commits an act of sexual penetration, and the victim is at the time unconscious of the nature of the act and this is known to the person committing

the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:

- (1) Was unconscious or asleep.
- (2) Was not aware, knowing, perceiving, or cognizant that the act occurred.
- (3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
- (4) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(e) Any person who commits an act of sexual penetration when the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(f) Any person who commits an act of sexual penetration when the victim submits under the belief that the person committing the act or causing the act to be committed is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(g) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(h) Except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year.

(i) Except as provided in Section 288, any person over 21 years of age who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.

(j) Any person who participates in an act of sexual penetration with another person who is under 14 years of age and who is more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) As used in this section:

(1) "Sexual penetration" is the act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant's or another person's genital or anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object.

(2) "Foreign object, substance, instrument, or device" shall include any part of the body, except a sexual organ.

(3) "Unknown object" shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.

(l) As used in subdivision (a), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury or death.

(m) As used in this section, "victim" includes any person who the defendant causes to penetrate the genital or anal opening of the defendant or another person or whose genital or anal opening is caused to be penetrated by the defendant or another person and who otherwise qualifies as a victim under the requirements of this section.

(End)

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CH. 25 SEXUAL OFFENSE

CHAPTER 25
SEXUAL OFFENSES

- § 25.10 Definitions.
- § 25.15 First Degree Criminal Sexual Conduct.
- § 25.20 Second Degree Criminal Sexual Conduct.
- § 25.25 Third Degree Criminal Sexual Conduct.
- § 25.30 Fourth Degree Criminal Sexual Conduct.
- § 25.35 Assault with Intent to Commit Criminal Sexual Conduct.
- § 25.40 Victim's Testimony Need Not be Corroborated.
- § 25.45 Resistance Not Required.

§ 25.10. Definitions.

(a) As used in this Chapter:

(1) Actor means a person accused of criminal sexual conduct;

(2) Force or Coercion includes but is not limited to any of the following circumstances:

(A) when the actor overcomes the victim through the actual application of physical force or physical violence;

(B) when the actor coerces the victim to submit by threatening to use force or violence on the victim and the victim believes that the actor has the present ability to execute these threats;

(C) when the actor coerces the victim to submit by threatening to retaliate in the future against the victim or any other person and the victim believes that the actor has the ability to execute this threat.

As used in this Subsection, to retaliate includes threats of physical punishment, kidnapping or extortion;

(D) when the actor engages in the medical treatment or examination of the victim in a manner or for purposes which are medically recognized as unethical or unacceptable; or

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(E) when the actor, through concealment or by the element of surprise, is able to overcome the victim.

(3) Intimate Parts includes the primary genital area, groin, inner thigh, buttock or breast of a human being;

(4) Mentally Defective means that a person suffers from a mental disease or defect which renders that person temporary or permanently incapable of appraising the nature of his or her conduct;

(5) Mentally Incapacitated means that a person is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic or other substance administered to that person without his or her consent, or due to any other act committed upon that person without his or her consent;

(6) Physically Helpless means that a person is unconscious, asleep or for any other reason is physically unable to communicate unwillingness to an act;

(7) Personal Injury means bodily injury, disfigurement, mental anguish, chronic pain, pregnancy, disease or loss or impairment of a sexual or reproductive organ;

(8) Sexual Contact includes the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification;

(9) Sexual Penetration means sexual intercourse, cunnilingus, fellatio, anal intercourse or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required; and

(10) Victim means the person alleging to have been subjected to criminal sexual conduct.

(b) Whenever in this Chapter the criminality of conduct depends on a child's being below the age of fourteen (14), it is no

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defense that the defendant reasonably believed the child to be fourteen (14) or older. Whenever in this Chapter the criminality of conduct depends on a child's being below a specified age older than fourteen (14), it is an affirmative defense that the defendant reasonably believed the child to be of that age or above.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979.

2013 NOTE: Pursuant to the authority granted by 1 GCA § 1606 and to maintain the general codification scheme of the GCA, the Compiler altered the numbers/letters in subsection (a)(2) to adhere to the Compiler's alpha-numeric scheme.

§ 25.15. First Degree Criminal Sexual Conduct.

(a) A person is guilty of criminal sexual conduct in the first degree if he or she engages in sexual penetration with the victim and if any of the following circumstances exists:

- (1) the victim is under fourteen (14) years of age;
- (2) the victim is at least fourteen (14) but less than sixteen (16) years of age and the actor is a member of the same household as the victim, the actor is related to the victim by blood or affinity to the fourth degree to the victim, or the actor is in a position of authority over the victim and used this authority to coerce the victim to submit;
- (3) sexual penetration occurs under circumstances involving the commission of any other felony;
- (4) the actor is aided or abetted by one or more other persons and either of the following circumstances exists:
 - (A) the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or
 - (B) the actor uses force or coercion to accomplish the sexual penetration.
- (5) the actor is armed with a weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon;
- (6) the actor causes personal injury to the victim and force or coercion is used to accomplish sexual penetration;

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and

(7) the actor causes personal injury to the victim, and the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(b) Criminal sexual conduct in the first degree is a felony in the first degree. Any person convicted of criminal sexual conduct under § 25.15(a) shall be sentenced to a minimum of fifteen (15) years imprisonment, and may be sentenced to a maximum of life imprisonment without the possibility of parole. The term imposed shall not be suspended, as indicated in § 80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall work release or educational programs outside the confines of prison be granted; nor shall the provisions under § 80.31 of Article 2, Chapter 80, Title 9 GCA apply. Any such sentence shall include a special parole term of not less than three (3) years in addition to such time of imprisonment.

(c) Any person convicted of criminal sexual conduct under § 25.15(a) subsequent to a first conviction of criminal sexual conduct under Guam law or a conviction of a sex offense from another jurisdiction that has an element that would constitute sexual contact or sexual penetration, as defined in § 25.10 of this Chapter shall be sentenced to a minimum of twenty-five (25) years imprisonment and may be sentenced to life imprisonment without the possibility of parole. Said term shall not be suspended as indicated in § 80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release or educational programs outside the confines of prison be granted.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979. Amended by P.L. 32-012:2 (Apr. 11, 2013), effective upon enactment and shall apply prospectively pursuant to P.L. 32-012:3. Subsection (b) amended by P.L. 19-006:6. Subsection (b) repealed and reenacted by P.L. 23-114:1. Subsection (c) amended by P.L. 36-018:1 (Apr. 9, 2021).

§ 25.20. Second Degree Criminal Sexual Conduct.

(a) A person is guilty of criminal sexual conduct in the second degree if the person engages in sexual contact with another person and if any of the following circumstances exists:

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(1) that other person is under fourteen (14) years of age;

(2) that other person is at least fourteen (14) but less than sixteen (16) years of age and the actor is a member of the same household as the victim, or is related by blood or affinity to the fourth degree to the victim, or is in a position of authority over the victim and the actor used this authority to coerce the victim to submit;

(3) sexual contact occurs under circumstances involving the commission of any other felony;

(4) the actor is aided or abetted by one or more other persons and either of the following circumstances exists:

(A) the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(B) the actor uses force or coercion to accomplish the sexual contact.

(5) the actor is armed with a weapon or any article used or fashioned in a manner to lead a person to reasonably believe it to be a weapon;

(6) the actor causes personal injury to the victim and force or coercion is used to accomplish the sexual contact; and

(7) the actor causes personal injury to the victim and the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(b) Criminal sexual conduct in the second degree is a felony in the first degree, but a person convicted of criminal sexual conduct in the second degree who receives a sentence of imprisonment shall not be eligible for work release or educational programs outside the confines of prison. The term imposed shall not be suspended, as indicated in § 80.60 of Article 4, Chapter 80, Title 9 GCA; nor probation be imposed in lieu of said minimum term; nor shall parole be granted; nor shall the provisions under §

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80.31 of Article 2, Chapter 80, Title 9 GCA apply. Any such sentence shall include a special parole term of not less than three (3) years, in addition to such time of imprisonment.

(c) Any person convicted of criminal sexual conduct under § 25.20(a) subsequent to a first conviction of criminal sexual conduct under Guam law or a conviction of a sex offense from another jurisdiction that has an element that would constitute sexual contact or sexual penetration as defined in § 25.10 shall be sentenced to a minimum of fifteen (15) years imprisonment and may be sentenced to life imprisonment without the possibility of parole. Said term shall not be suspended; nor probation be imposed in lieu of said term, as indicated in § 80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release or educational programs outside the confines of prison be granted.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979. Amended by P.L. 32-012:2 (Apr. 11, 2013), effective upon enactment and shall apply prospectively pursuant to P.L. 32-012:3. Subsection (b) amended by P.L. 19-006:7. Subsection (c) amended by P.L. 36-018:2 (Apr. 9, 2021).

§ 25.25. Third Degree Criminal Sexual Conduct.

(a) A person is guilty of criminal sexual conduct in the third degree if the person engages in sexual penetration with another person and if any of the following circumstances exists:

- (1) that other person is at least fourteen (14) years of age and under sixteen (16) years of age;
- (2) force or coercion is used to accomplish the sexual penetration; and
- (3) the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(b) Criminal sexual conduct in the third degree is a felony of the second degree.

(c) Any person previously convicted of criminal sexual conduct under § 25.25(a) subsequent to a first conviction of criminal sexual conduct under Guam law or a conviction of a sex offense from another jurisdiction that has an element that would

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constitute sexual contact or sexual penetration as defined in § 25.10 of this Chapter shall be sentenced to ten (10) years imprisonment without the possibility of parole. Said term shall not be suspended; nor probation be imposed in lieu of said term, as indicated in § 80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release or educational programs outside the confines of prison be granted.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979.
Subsection (c) added by P.L. 36-018:3 (Apr. 9, 2021).

§ 25.30. Fourth Degree Criminal Sexual Conduct.

(a) A person is guilty of criminal sexual conduct in the fourth degree if he or she engages in sexual contact with another person and if either of the following circumstances exists:

(1) force or coercion is used to accomplish the sexual contact;

(2) the actor knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

(b) Criminal sexual conduct in the fourth degree is a felony of the third degree, except for first time offenders it is a misdemeanor.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979.
Subsection (b) is amended by P.L. 20-209:1.

§ 25.35. Assault with Intent to Commit Criminal Sexual Conduct.

Assault with intent to commit criminal sexual conduct involving penetration is a felony in a third degree.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979.

§ 25.40. Victim's Testimony Need Not be Corroborated.

The testimony of a victim need not be corroborated in prosecutions under §§ 25.15 through 25.35.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979.

§ 25.45. Resistance Not Required.

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A victim need not resist the actor for a proper prosecution under §§ 25.15 through 25.35.

SOURCE: Repealed and reenacted by P.L. 15-060:1, eff. Aug. 31, 1979.



Office of the Speaker **THERESE M. TERLAJE**

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 142-36 (LS) was introduced on Tuesday, May 25, 2021, by Senator Frank Blas Jr., and was referred by the Committee on Rules to the Committee on Health, Land, Justice and Culture on Thursday, May 27, 2021.

The Committee on Health, Land, Justice, and Culture convened a virtual public hearing on Wednesday, September 15, 2021, beginning at 2:00 PM utilizing the Guam Legislature's Virtual Hearing Platform.

Public Notice Requirements

Notices for this Virtual Public Hearing were disseminated via email to all senators and all main media broadcasting outlets on Wednesday, September 8, 2021, and again on Monday, September 13, 2021. The notice was also published in the Guam Daily Post on Wednesday, September 8, 2021, and again on Monday, September 13, 2021.

Senators Present:

Speaker Therese M. Terlaje, Committee Chairperson
Senator Telo T. Taitague, Committee Member
Senator Joanne M. Brown, Committee Member
Senator Frank Blas Jr., Prime Sponsor
Senator V. Anthony Ada

Appearing Before the Committee:

Deputy Attorney General (AG) Stephanie Mendiola, Office of the Attorney General of Guam (OAG)
Assistant AG Christine Tenorio, OAG
Deputy Director John P. Morrison, Esq., Public Defender Service Corporation (PDSC)

Written Testimony Submitted:

Deputy AG Stephanie Mendiola, OAG

II. SUMMARY OF TESTIMONY & DISCUSSION

The virtual public hearing was Called to Order at **2:04 PM.** Bill No. 142 36(LS) "AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR, "was the first item on the agenda.

Chairperson Therese M. Terlaje: *Hafa Adai*, the Committee on Health, Land, Justice and Culture is now called to order. Today's Wednesday, September 15th, 2021. The time is 2:04 PM. Notices for this virtual public hearing were disseminated via email to all senators and all main media broadcasting outlets on Wednesday, September 8th, and on Monday, September 13th, 2021.

The notice was also published in the Guam Daily post on the same days. The zoom meeting is hosted by the Legislature's AV staff and my staff and I thank them for their assistance. The host of this hearing will mute all Zoom participants until called upon by the Chair. Individuals testifying shall first be recognized before speaking and begin by stating their name for record keeping purposes.

We have three items on our agenda today. They are Bill No. 142 36(LS), Bill No. 143 36(LS), and Bill No. 144 36(LS). I'm hoping to take a slight break in between each bill so that they can be recorded separately on YouTube otherwise, we will hear all of these contiguously.

Bill 142 36(LS) is introduced by Senator Frank Blas, Jr. is AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.

Bill No. 143 36(LS) introduced by Frank Blas Jr. is AN ACT TO AMEND §25.15 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED AND §25.20 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED TO INCLUDE OTHER CIRCUMSTANCES BY WHICH AN INDIVIDUAL CAN BE FOUND GUILTY OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT.

The third item on our agenda is Bill No. 144 36(LS) introduced by Senator Frank Blas Jr. AN ACT TO AMEND §55.15 OF CHAPTER 55 TITLE 9 GUAM CODE ANNOTATED RELATIVE TO THE CRIME OF HINDERING APPREHENSION OR PROSECUTION.

I'd like to acknowledge the presence of my colleagues and thank them for joining us today beginning with the sponsor of these three bills Senator Frank Blas. Jr. Thank you to Senator Anthony Ada, Senator Telo Taitague and Senator Joanne Brown for joining us.

We'll begin now with the first agenda item, which is Bill No. 142 36, which will be introduced by the sponsor. And for the record I just like to note that the committee requested feedback on this bill and sent invitations to the Office of the Attorney General, Guam Police Department, Public Defender Service Corporation, Guam Bar Association, Guam Coalition Against Sexual Assault and Family Violence and the Alee shelter. All right. Senator Blas, you have the floor.

Senator Frank Blas Jr.: Thank you, Madam Speaker, and thank you to all my colleagues that are here for all those participating in this hearing as well. Bill number 142 36 is AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.

What matters Madam Speaker as stated, this bill is to amend that section so that it reads, adds a new section, subsection three to this section, that a person first off a person is guilty of criminal sexual conduct in the fourth degree, if he or she engaged in sexual contact with another person and if either of the following circumstances exists and it's to add on item three to this was that states, the victim is at least 14 years of age and under 18 years of age. So, what this basically provides is that if you were to, if the

individual was to commit a sexual act/offense against an individual who is again, under the age of 18 that the offense cannot be reduced.

First off, it's a fourth degree Criminal Sexual Conduct; it cannot be reduced to a misdemeanor and the only time it can be reduced to a misdemeanor is if the victim was over 18 years of age and the offender was a first time offender, and that's the only time it can be reduced from a felony to a misdemeanor.

With that Madam Speaker I know that there are individuals that would like to be able to testify and I'll hold off on any further comment until my closing. Thank you very much.

Chairperson Therese M. Terlaje: Thank you very much, Senator Blas. I'd like to recognize at this time, the Deputy Attorney General Stephanie Mendiola, and to introduce all the representatives from the Attorney General's Office, and to testify.

Deputy AG Stephanie Mendiola, OAG: *Si Yu'os ma'åse'* Madam Speaker, sponsoring Senator Blas, members of the committee and other senators. As the Speaker mentioned for the record, I am Deputy Attorney General, Stephanie Mendiola, the General Counsel for the AG's office. Also representing our office today is Assistant Attorney General, Christine Tenorio, the senior prosecutor in our Prosecutions Division. We are appearing today in support of Bill 142, and we have written testimony to indicate that we have a minor amendment that we would suggest... Hopefully it's considered a minor amendment that we would suggest to the bill. If you would like, I could read our testimony into the record Speaker. Your office should be receiving it by email soon.

Chairperson Therese M. Terlaje: Oh yes. Please read it if you don't mind.

Deputy AG Stephanie Mendiola, OAG: *(See attached written testimony submitted, and read into the record)*

Chairperson Therese M. Terlaje: Thank you Deputy Attorney General. Attorney General Tenorio would you like to testify as well?

Assistant AG Christine Tenorio, OAG: DAG Mendiola covered most of the written testimony or the complete written testimony that we had gone over. I just wanted to elaborate and clarify that the proposed amendments would be congruent with the third

degree of criminal sexual conduct statute as it is written. As it stands right now, misdemeanor criminal sexual conduct is the default in cases where we have minors who are above the age of 16, because that is the age of consent.

I do want to give a quick statistic just for the need for the bill, and then any other testimony, I can respond to questions and answers to questions later. However, currently as charged the victims who are, who comprised this subset that we're trying to change, are 10% of our charged cases.

Meaning 10% of minors are only being, their offenders are only being charged with misdemeanors because of the way the law is written right now. So, the Attorney General's office supports the amendment. Thank you.

Chairperson Therese M. Terlaje: Thank you very much. We'll now hear from the Deputy Director of the Public Defender's Office, Mr. John Morrison, Attorney Morrison.

Deputy Director John Morrison, PDSC: Thank you, Madam Speaker, Senators. My name's John Morrison. I'm the Deputy Director of the Public Defender. I wanted to first start by acknowledging who I'm speaking on behalf of throughout this testimony.

I'm speaking on behalf of our internal management here at my office and our attorneys. I'm not speaking on behalf of our board. As they are a board set by statute and I haven't discussed the testimony with them. And they probably wouldn't be in a position to comment on these bills based on the positions they hold.

So, with that being said, my office is opposed to the legislation that's drafted. I'm only going to comment on the legislation, the proposed legislation that's performing, but it was as drafted, inconsistent with Guam Law.

Paragraph 3 reads that the victim is at least 14 years of age and under 18 years of age, our age of consent on Guam is 16 years.

So, this law as written would effectively make it unlawful for someone to engage in sexual contact with someone who is 16 or 17 but still legal to have a relationship with someone of that age, that involved sexual penetration. So that was inconsistent with Guam law, as written.

I think some of my testimony is just based on personal experience in having these types of cases. And I can tell the committee here that, in my view, it's relatively rare for the fourth degree to be charged out in the first instance. The way I read the act, it seems to be an effort to minimize plea bargaining on these types of cases, and I'm not sure that's essentially fair to the people that touch these types of cases. It certainly hasn't been my experience that the Attorney General is going out of their way to cut pleas for fourth degree on every case that they get ahold of. That's just not accurate. I think these cases are prosecuted zealously.

So, I would take a certain amount of exception to seeking to limit them at their discretion. These cases are difficult, and I think we do get into situations sometimes where the best result that the Attorney General can get is a negotiated disposition. Whether or not that means that the victim in the case doesn't remember what happened, although they made an initial report, or the family is adamant that they don't want the victim to take the stand and testify.

I do think it is important to have a charge that can sometimes be negotiated but still is going to trigger major consequences for the defendant and for a sexual charge like this. Even if it's a misdemeanor it's going to trigger sexual registration requirements and periods of probation and the like.

Senators, those are my comments as written my office is opposed to the bill. Thank you very much.

Chairperson Therese M. Terlaje: Thank you very much. I'd now like to ask Senator Blas, if he has any questions or comments for the panel.

Senator Frank Blas Jr: Thank you very much Madam Speaker. I guess my question is to Attorney Morrison. You stated that your office objected to the bill as written, but then you also referred to subsection three, the new addition of it being up to 18 years of age. According to the Attorney General's office, they are proffering an amendment. They would like to see an amendment so that it is consistent with law.

First off, it's understanding. I'm a traditionalist and I'm a conservative and as heavy on the laws as it can be, I will be. However, if it is the suggestion of the AG's office, and it appears to be the suggestion as well from your office, that that section now basically

read that the victim is at least 14 years of age and under 16 years of age, then would your office still be opposed to the bill?

Deputy Director John Morrison, PDSC Yes. I'd have a little less concern about it if that's the way it was drafted. However, I can tell you all that in my view, these charges usually do get charged out at a more serious level. Generally, there's a force or coercion element that if it is charged out or the particular circumstance of the case allows the government to charge out one of the more serious charges.

So, I would be surprised to see these charged very frequently. If it were entered into law, I think the charges that currently exist allow for a great deal of charging, discretion and for the government to seek the right charge.

Senator Frank Blas Jr. Okay, I guess to Attorney Tenorio or Attorney Mendiola from the AG's office. Your comment on that?

Assistant AG Christine Tenorio, OAG: May I respond? Thank you. Thank you, Senator Blas, Madam Speaker. So, as the head of the Sex Crimes Unit, I actually disagree with Mr. Morrison because I did pull the stats this morning and I've gone through every single pretrial criminal sexual conduct case that the Office of the Attorney General has.

Mr. Morrison's comment is only accurate because he is referencing sexual penetration. The problem is that there's no corresponding felonious sexual contact charge, and while Mr. Morrison says that he thinks that it's going to be not used or charge less, I just gave the statistics where it's 10%. So, 10% of all of our cases now would actually be converted from a misdemeanor charge to a felony charge.

And to say, I just want to stress the importance of the bill. Out of the 10% of the cases that we have, most of those cases are biological fathers molesting their biological daughters, and it's a misdemeanor under Guam law. So, I don't think that it is accurate to say that this is not a common charge because I went through the statistics this morning. So that is my comment on that.

Senator Frank Blas Jr. Thank you. Attorney Mendiola?

Deputy AG Stephanie Mendiola, OAG: Thank you Senator. As a matter of practice, of course, I will echo, what Attorney Tenorio was explaining in terms of this of the

statistics. But I think the issue is that the amendments would set it up so that age would be sufficient for fourth degree criminal sexual conduct. Attorney Morrison is correct that there is already an existing avenue to prosecute for coercion. I hesitate to say that it would necessarily make it easier, but it allows, in effect that's what it does because it makes it more clear that age alone is sufficient and this 14 to 15 age range is the only minor, the only age range under the age of consent that's currently not captured or sexual contact specifically.

Senator Frank Blas Jr.: Okay, Attorney Morrison, I'll be fair. I'll give you an opportunity to be able to respond.

Deputy Director John Morrison, PDSC: Thank you, Senator Blas. I would maintain my position here. I believe that the government has ample latitude to charge out these types of things. The Guam Supreme Court has been quiet liberal in its definition of what force or coercion is. So, I believe most of these cases are going to be charged out under that statute section. I think it's important to remember none of this conduct is cause good or advisable, or something I'm advocating for. But the bill is specifically addressing sexual contact, which is the touching of the intimate parts of somebody even over their clothing. So, we're not dealing with some of the more significant types of contact that we're going to talk about with some of the other bills.

Senator Frank Blas Jr.: As I stated earlier, okay, I'm a traditionalist. I'm also very conservative. But I appreciate your comments on these things. Thank you, Madam Speaker.

Chairperson Therese M. Terlaje: Thank you, Senator Blas. I will now recognize Senator Anthony Ada.

Senator V. Anthony Ada: Thank you, Madam speaker. I don't have any questions for any of those with testified on the bill. Thank you. All right, Senator.

Chairperson Therese M. Terlaje: Senator Taitague?

Senator Telo T. Taitague: Thank you, Madam Speaker and then thank you to the Attorney General's office for being here to testify, as well as Attorney Morrison, appreciate all your input into this. There are some things I'm not quite sure of you know, not being an attorney. But listening to some of the language that you said,

Attorney Morrison, you mentioned charged out. You said that a couple of times, can you explain to me what charged out means, then giving an example?

Deputy Director John Morrison, PDSC: So, Senator, the job I had before being an attorney was working in a stock room. So, it basically was the only job I've ever had. It sits been a long time. I'm pretty indoctrinated to the way we speak, and I apologize for that. I just mean that's what the government charges when I say charged out, that they screen the case. They make the decision and that's what they file papers on.

Senator Telo T. Taitague: I see, and you're still pretty, what's the word, standing your ground on not supporting this legislation. Oh, and before I forget, if you can please provide a written testimony, it's going to be very helpful so we can review that. I don't know if you provided one.

Deputy Director John Morrison, PDSC: We have not done that yet. Could I just get directions on how long my office has? Cause I know some of the other attorneys want to submit that. Is it 10 days from today or earlier?

Senator Telo T. Taitague: I'll allow the Speaker to answer that.

Chairperson Therese M. Terlaje: I apologize. I had not thought about that, but I guess we will allow 10 days. Yes.

Senator Telo T. Taitague: Okay, greatly appreciated and maybe you can have the opportunity in depth to discuss why something like this is something that you don't support. And when you say minimum plea bargaining, can you explain that scenario, when you talked about minimum plea bargaining?

Deputy Director John Morrison, PDSC: Perhaps I used that phrase. I was discussing just the process where we decide if the case is going to go to a trial or is going to reach a negotiated plea agreement. So, I know reasonable minds can differ on whether the Attorney General's office should be offering pleas in certain cases. But I can represent that they're particularly zealous in these types of cases and I don't perceive that they're giving anything away.

Senator Telo T. Taitague: Okay thank you, Attorney Morrison, appreciate those answers. I guess this might be a question for you. For the past five year period, how

many CSC convictions would've been eligible if Bill 142 was enacted? Would have been, in the last five years?

Deputy AG Stephanie Mendiola, OAG: Sorry, we wouldn't be able to tell you the last five years today. We can check the stats that we have for that. Attorney Tenorio please correct me if I'm wrong, where we're at within one year of 113 active cases, 83 would have been eligible.

Senator Telo T. Taitague: Oh, okay within a one year period of time. Okay, just within this year?

Assistant AG Christine Tenorio, OAG: Sorry, it's the other way around.

Senator Telo T. Taitague: Okay so you go ahead and answer the question. Thanks.

Assistant AG Christine Tenorio, OAG: You're welcome. So, when we did the statistics, 83 of the 113 criminal sexual conduct cases that we have currently active, meaning pretrial status, 83 involved minors' period. But 12 of those are only misdemeanors because of the way the law is written.

If I may respond to the plea bargaining issue, just so maybe I can shed some light and it would help Senator Taitague. So, Mr. Morrison and I work together frequently. So, we are no strangers to this set of crimes regarding plea bargaining, that's not what this is.

The proposed amendment to this statute wouldn't affect plea bargaining. The current state of the law is that as a prosecutor, I am not permitted to charge for fourth degree criminal sexual conduct as a felony for adults, including biological fathers or household members who molest their children, who are 16 years of age or older.

So, what the current amendment would do is allow the prosecutors to charge it as a third degree felony at the outset, because we're not permitted to charge it that way. We're only permitted to charge a misdemeanor.

So, at the outset if you read... and this is including our amendments that DAG Mendiola had mentioned earlier, which would be, even if Subsection 3 is amended to say under the age of 16, the whole statute would have this practical effect. 14 and 15 year olds will always, if they're a victim of sexual conduct, their offenders will always be charged as a third felony at the outset.

16 and 17 year olds would also be charged as a third degree felony, but only if we could meet Subsection 1 and 2, meaning it was by force or coercion, and your victim was 16 or 17, or your victim was physically helpless, mentally defective, or mentally incapacitated, and they were 16 and 17. The whole point of upgrading it to a felony is to protect the children because it is felonious conduct. So, to the extent that it would affect plea bargaining, it would affect the charging of it and what prosecutors would be permitted to do.

Senator Telo T. Taitague: So, basically with this law , it would go straight to a third degree felony then, right? You even bypass the fourth degree. You just go straight to third degree. So, it allows you that ability to prosecute under those, I guess, first degree, second degree, third degree. So, it basically does that right?

Assistant AG Christine Tenorio, OAG: So not necessarily. First and Third Degree Criminal Sexual Conduct are for penetration. Second Degree and Fourth Degree Criminal Sexual Conduct are for misdemeanors. I think that where it gets confusing is that what we're trying to do is make Fourth Degree Criminal Sexual Conduct a Third Degree felony.

So, you're correct that it would allow us to go straight to charging Fourth Degree Criminal Sexual Conduct as a Third Degree felony if it's a minor. The adults would still be chargeable as misdemeanors or if the victim is an adult and if the offender's a first time offender.

Senator Telo T. Taitague: That's 14 to 17, which is still considered a minor.

Assistant AG Christine Tenorio, OAG: Correct.

Senator Telo T. Taitague: And even though the law currently right now has consent at I believe it was 16 years, then it's those last two years that would still maintain... Well, boom, then you would have to kick out the current law.

Assistant AG Christine Tenorio, OAG: With respect to that Senator...

Senator Telo T. Taitague: Yes.

Assistant AG Christine Tenorio, OAG: ...that's why the qualification would be if it's amended with the proposed changes. We have 16 and 17 year olds, even though

there's an age of consent, the subsections force or coercion and physically helpless, those are nonconsensual. So basically, we would be proving an additional element to get to Third Degree felony, which would be that it was non consensual contact, and your victim was 16 or 17. That's how we overcome consent. Because it would be basically nonconsensual contact with a 16 or 17 year old.

Senator Telo T. Taitague: Okay, thank you. Thank you, Christine. That was very good. I was able to understand it and follow along with regards to that. So, it sounds to me like it's not just only one amendment Stephanie. It sounds like you might need another amendment in there too, to make it clearer. I know that we have 10 days and maybe we can work on this legislation to basically accommodate both sides, the Public Defender's office as well as yours with any concern.

My last question Step, it sounds like you are Christine studied this quite a bit. What other jurisdictions have this type of law?

Assistant AG Christine Tenorio, OAG: Our jurisdiction is directly, our particular statute is directly correspondent with Michigan. So, Guam's Criminal Sexual Conduct laws are derived from both Michigan and Minnesota. So that's where this law comes from. But as far as the grade of offense, every state has this type of law, but all the states differ in what the grade of offense is.

I'm not sure what the stats are as far as who considers it a misdemeanor and who considers it a felony. But we're the state that we're trying to make it a felony.

Senator Telo T. Taitague: Okay, so you went to Michigan and Minnesota. It's kind of mirroring this scenario. California law and usually Hawaii are two states that we kind of look to all the time. What's California's law regarding this? Do they have this particular law?

Assistant AG Christine Tenorio, OAG: They have the law in place. I don't know about the offense, with what they grade the offense as. So, DAG Mendiola and I can get that for you. It's just, we've focused on Michigan and Minnesota because when our Criminal Sexual Conduct laws were drafted, it came directly from those two states.

Senator Telo T. Taitague: I see. Oh, okay. So, you've been working on this particular legislation. Okay. Thank you, Christine.

Assistant AG Christine Tenorio, OAG: You're welcome.

Senator Telo T. Taitague: It's always a pleasure to see you doing great over there and Stephanie as well. Attorney Morrison I greatly appreciate all the comments that you made and looking forward to reading your testimony. Anything you want to include in that, this is your opportunity to do so. I appreciate your time. Thank you. Madam Speaker.

Deputy Director John Morrison, PDSC: Thank you Senator.

Chairperson Therese M. Terlaje: Thank you Senator Taitague. Senator Brown you're recognized.

Senator Joanne M. Brown: Thank you very much Madam Speaker, I wanted to ask the AG's office just in comparison for Guam. How do we rank percentage wise with regards to these types of Criminal Sexual Conduct against our minors in our community? How do we compare nationally? Either one of you from the AG's office.

Assistant AG Christine Tenorio, OAG: Unless DAG Mendiola wants to start, I think I have the answer to that question. So as far as charges per capita, we rank as one of the highest rates of sex offenders that are charged. That doesn't mean necessarily the highest rate of conviction, but we have one of the higher rates of criminal sexual conduct.

Senator Joanne M. Brown: And in comparison, cause obviously it could happen also to an adult, but in terms of minors, is that also the same that with regards to minors, Guam is also pretty much up there?

Assistant AG Christine Tenorio, OAG: That is correct. This is also based on anecdotal evidence because yearly, I actually go to the National District Attorneys Association Conference. Just for sex crimes, I'm able to network with all the other sex crimes prosecutors. Criminal sexual Conduct with perpetrators within the family is common everywhere. But I think that on Guam, some families just have greater access to children because of the nature of multiple family households. So that's why our rate is so high.

Senator Joanne M. Brown: With regards to these cases, in terms of those that are charged, what is the percentage of conviction when these cases are brought before the court?

Assistant AG Christine Tenorio, OAG: So that's a more complicated question. I do know that there was an article that was run or an op ed that was run, and those statistics are not necessarily accurate. And the reason why that's a complicated question is because before us today, we're only talking about Fourth Degree Criminal Sexual Conduct. But we would have to go back to answer the question, to really understand what the question is. Whether it's how many people are charged with first degree, second degree, third degree, fourth degree or if the question is just how many people are charged in general. We do have the statistics readily available. I just don't know them off the top of my head.

Senator Joanne M. Brown: I think it would be good if you could provide that to us. Certainly, before this bill moves forward, and it gets to the floor so we can collectively have a good understanding of what is the success rate. And again, of course, I would think it's very concerning obviously that this is a prominent problem in our community, where we have these types of offenses happening. Imagine, especially within a family, a fellow trusted adult to a child or a young person that's underage to have this happen. I think we all agree this is not acceptable behavior.

But I think it would be very helpful to know what that is. I certainly understand the desire of the author of this bill to want to strengthen the process so that it's not handled as a non serious offense. Because obviously it's very offensive and very serious.

But I think having that information would be very beneficial for us and the public as well. We see these charges happening and we see every day, these mugshots in the newspaper as if this is commonplace. I just think it would be good to know specifically where we have the biggest problem. Because at the other end, we're going to want to know how we are targeting these issues. How are we being proactive in the community in getting this information out. And getting this information out to young people as well, to know that this type of behavior is not acceptable, and for them to also have a vehicle on who and how they can report it. Because imagine if it's within your family. It's probably not something they would ever want to talk about and most probably don't talk about it. These are the cases that you're aware of. What about all the ones in

the community that certainly never gets to that level because it's kept within the family for fear of revealing these issues outside of the family.

So, I think it would be good to have that information available. With that, Madam Speaker thank you very much for the opportunity to ask questions, and comment with regards to Bill 142.

Chairperson Therese M. Terlaje: Thank you, Senator Brown. If I could ask a couple of questions myself. I'm trying to understand the intent. So, we're saying that there are some cases right now for victims who are 16 and 17 years old. If the crime is sexual contact and not sexual penetration, then we cannot charge as a felony, we can only charge as a misdemeanor and that this bill would allow us to charge as a felony. Is that right? Or a third degree felony. So, increased penalties and everything like that. If that's the case, right now under this fourth degree, no crimes against children or, sorry, anyone below the age of 18 is charged under Fourth Degree Criminal Sexual Conduct. Is that right? It's not one of the criteria unless they meet these other criteria.

Assistant AG Christine Tenorio, OAG: Madam Speaker if I may, as far as contact with minors, we currently can charge minors under the age of 14 with second degree criminal sexual conduct, and that is considered a first degree felony. But before the 14 , 15 , 16 , 17 year olds, they're by default all a misdemeanor. We're not permitted to charge it as a felony. So, there's a disparity there because it goes from second degree criminal sexual conduct as a first degree felony and then it's fourth degree criminal sexual conduct as a misdemeanor. So, you skip second degree, third degree felony and it's just a misdemeanor.

Deputy AG Stephanie Mendiola, OAG: If I may add Speaker just to add one clarification to Attorney Tenorio's description. For 14 and 15 year olds, the bill that's before us addresses sexual contact. For 14 and 15 year olds, they are also included in sexual contact under Second Degree CSC as a first degree felony, but there must be more to the case. The bill before us just to connect it and repeat, the bill before us makes age alone enough. So, the fact that they're 14 or 15 would be enough.

Right now, under the law, and maybe this is what Attorney Morrison was getting at earlier, there is 14 and 15 year olds we are able to address, but it requires something more to be proven in that particular case.

Chairperson Therese M. Terlaje: Alright.

Assistant AG Christine Tenorio, OAG: And thank you for that correction, DAG Mendiola. So, she's correct. It's 14 to 15 year old, but we also have to prove family or household member.

Chairperson Therese M. Terlaje: Okay. Now, if we could just look at the language. So, Subsection 3, victims at least 14 and under the age of 18, or let's say, under the age of 16; if we put 16, what happens to the 16 and 17 year olds? I thought that was who it was going to affect here. But it looks to me like they would be left out. What would happen to the 15 and 17 year old victim?

Deputy AG Stephanie Mendiola, OAG: I could address that in terms of the proposed, the recommended language to be proposed, and then Attorney Tenorio could jump in, in practice. What we're recommending as a revision to the language would remove 16 and 17 year old from the pathways so to speak, where we're prosecuting when age alone is enough.

So, for 14 and 15 age alone would be enough. For 16 and 17, we would have to prove something more. So, 16 and 17 year olds would fall under the first two provisions of that same section, which Attorney Morrison was getting at earlier, that addresses the age of consent where 16 and 17 year olds are able to give consent.

So, they wouldn't automatically, someone wouldn't automatically be charged as a felony if they engaged in sexual contact with a 16 or 17 year old. There would have to be something more in that case for 16 and 17 year olds. So, we want to be clear, and the testimony was submitted. So, it might be easier to see on paper. But we want it to be clear that it doesn't mean that we still cannot prosecute in cases that might justify a second look for sexual contact with 16, 17 year olds. But we would leave that sort of as is, so to speak. We wouldn't change the law for 16, 17 year olds. Just for the 14, 15 years.

Chairperson Therese M. Terlaje: Alright. So AG Tenorio, what about 16 and 17 year olds who the perpetrator is family, as you described the biological fathers. How would they be charged?

Assistant AG Christine Tenorio, OAG: So, under the new proposed law, if the new proposed law says 14 years of age and under 16 years of age, but Subsection B is kept,

because the AG's office didn't have any amendments to that, which says, "However, if at the time of the offense, the victim is 18 years of age or older, 16 and 17 year old's would still be chargeable as a third degree felony if you read it in conjunction with Subsection one (1) and two (2).

Chairperson Therese M. Terlaje: Okay, got it. Thank you for walking me through that.

Assistant AG Christine Tenorio, OAG: You are very welcome.

Chairperson Therese M. Terlaje: This is complex, and I always have to take a long time for these because of the degrees of conduct versus the degrees of felonies. So, thank you.

We're going to probably allow as much time as is needed on these bills. So, Deputy Director, you will definitely have ten (10) days. So please, let me know if either of you have any additional comments, let me know. Otherwise, I have your written testimony. Thank you very much. Please let me know if there's anything else and with that, I will ask Senator Blas to close.

Senator Frank Blas Jr.: Thank you Madam Speaker and thank you for all your testimony on this bill matter. Speaker, if you permit me to, I have also a written testimony from the Guam Police Department that was sent to my office. And then if you can, I'd like to be able to read it into the record. It's fairly short.

Chairperson Therese M. Terlaje: Yes, please do. In fact, I'm afraid I have another question for the AG. Yeah, sorry I forgot to ask.

Senator Frank Blas Jr.: So, you can ask the question and then I can do the closing after.

Chairperson Therese M. Terlaje: If I could. Thank you. By putting this language in this statute would it inadvertently allow an argument to lower the degree of felony against offenders whose victims are outlined under the second degree criminal sexual conduct?

I guess they don't have that argument, right? It's up to your discretion how you're going to charge it? Okay, but is it's possible that they would fit under both categories?

Assistant AG Christine Tenorio, OAG: So, Madam Speaker, to address that, the category that would overlap would be if your victim is a 14 to 16 year old and a family or household member, that's chargeable as Second Degree. But those victims would still

be included as a third degree felony here. It's not actually a charging discretion because second degree has the additional element of family or household member. That would be the default charge and then when we charge it to the jury, the Fourth Degree Criminal Sexual Conduct would be considered a lesser included offense. If they didn't find family or household member, they could just find age.

Chairperson Therese M. Terlaje: All right. Thank you very much. Okay.

Senator Frank Blas Jr.: Okay, thank you Madam Speaker. So, this is a letter from the Guam Police Department. Dated September 15th, 2021.

It says, *Written Testimony RE: Bill 142 36.*

"Dear Senator Blas,

Buenas yan Hafa Adai. I am submitting this written testimony in regard to Bill 142 36 "An Act to Amend Subsection 25.30 of Chapter 25, Title, Guam Code Annotated, Relative to Ensuring that the Offense of Fourth Degree Criminal Sexual Conduct Against a Minor Cannot be Reduced from a Felony of the Third Degree to a Misdemeanor."

Criminal Sexual Conduct crimes are investigated by police as violent crimes, alongside murder, robbery, and aggravated assault. In this category, Criminal Sexual Conduct cases occur more often and unfortunately victimize more minors than any other.

The GPD Domestic Abuse Response Team or DART is primarily responsible for investigating CSC cases reported to the police. DART provides that in the previous three years, the criminal sexual conduct cases reported to police reveal an extremely high number of minors being victimized.

In 2018, 180 of the 266 CSC cases or 68% involved minors. In 2019, 169 of the 249 CSC cases or 71% involved minors. In 2020, 142 of 190 CSC cases or 75% involved minors. Violent crimes committed against minors are serious incidents, and at the least, should maintain its status as a felony, and not be reduced even for first time offenders.

Therefore, on behalf of the Guam Police Department, we are in support of this bill. I respectfully request for the recommendation mentioned herein, be considered, and included in Bill 142 36.

Respectfully submitted,

Stephen Ignacio, Chief of Police

I wanted to be able to read that into the record Madam Speaker. I'm sure my office will be forwarding this to the committee for inclusion into the committee record.

With that Madam Speaker, this bill as has been stated in a concern by the Chief of Police; as a father, a grandfather, great grandfather, the last thing I want to hear is that any one of my children, any one of my minor children are victimized. So, if we can as a lawmaking body provide statute as a deterrence. Provide that, "Look, don't even go there. Don't even go there with our children because then it's going to be a world of hurt." That, our society, our community does not tolerate any criminal sexual misconduct against anybody much more so if it's a minor.

What this bill will help to do is help to strengthen those laws so that if an individual does take advantage of a minor in these cases, that there is a severe penalty to be considered that they can come up against.

So, with that Madam Speaker, I'm urging my colleagues here for their consideration and I'm asking that we work with a committee to work with the proper amendments that have been proffered and get all the information, so that it can be brought before our body for consideration. Thank you very much.

Chairperson Therese M. Terlaje: Thank you, Senator. Is there anyone who'd like to say anything else before we conclude on this bill? If not, this committee will consider this hearing adjourned for Bill 142 36. We will continue to accept testimonies for ten (10) days, and I ask that anyone who needs an extension to please let me know. Otherwise, you can submit testimony to my email at senatorterlajeguama@gmail.com.

We're going to take a momentary break before Bill 143 to reset the audio. Thank you.

The public hearing for Bill No. 142 36 (LS) was adjourned at ____.

III. FINDINGS & RECOMMENDATIONS

The Office of the Attorney General submitted both oral and written testimony in favor of Bill 142 36 (LS), with proposed language to amend the standalone age range to include 14 and 15 year old's and more concise phrasing to the bill language in subsection (b), which amends the law to limit the exception for a misdemeanor reduction for first time offenders to only in cases where the victim is eighteen (18) years of age or older.

Supportive written testimony was submitted by the Guam Police Department. In its testimony, GPD recommended that violent crimes committed against minors should maintain felony status, and not be reduced even for first time offenders.

Oral testimony in opposition to Bill 142 36 (LS) as drafted was provided by Deputy Director John Morrison of the Public Defender Service Corporation, on behalf of PDSC attorneys. Deputy Morrison noted that Section 1 of the Bill with proposed changes to 9 GCA § 25.30 (a)(3) was inconsistent with the age of consent, which is 16 years of age pursuant to 8 GCA § 10.25.

On the proposed change to 9 GCA § 25.30 (b), Deputy Morrison argued that courts currently have discretion to charge at a higher degree. He noted that fourth degree criminal sexual conduct against a minor was usually charged at a more serious level because of the force or coercion element, which allows the government to charge one of the more charges at a higher degree.

The PDSC informed the Committee during the hearing of their intent to submit written testimony and requested a deadline extension of October 8, 2021, which was provided by this Committee. Written testimony has not been provided at the time of this report's submission to the Committee on Rules. Any forthcoming testimony submitted by the PDSC and/ or any other agency or individual will be added as addendum to this report.

- The proposed change to § 25.30 (a)(3) in Section 1 of the bill was amended by the Committee to ensure compliance with current age of consent law under 8 GCA § 10.25.

- The proposed change to § 25.30 (b) was also amended by the Committee to ensure more concise language relative to limiting the exception for a misdemeanor reduction for first time offenders to only in cases where the victim is eighteen (18) years of age or older. Stylistic changes were also made to the bill per the recommendations of the Guam Legislature's Legal Bureau.

The Committee on Health, Land, Justice and Culture hereby reports out **Bill No. 142-36 (LS)- As Amended by the Committee on Health, Land, Justice and Culture- Introduced by Senator Frank Blas Jr.- "AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ADDING MORE PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR,"** with the recommendation TO REPORT OUT ONLY.

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 142-36 (LS)

Introduced by:

Frank F. Blas Jr. 

**AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9,
GUAM CODE ANNOTATED RELATIVE TO ENSURING
THAT THE OFFENSE OF 4TH DEGREE CRIMINAL
SEXUAL CONDUCT AGAINST A MINOR CANNOT BE
REDUCED FROM A FELONY OF THE THIRD DEGREE
TO A MISDEMEANOR.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

**Section 1. §25.30 of Chapter 25, Title 9 Guam Code Annotated is hereby
amended to read:**

§ 25.30. Fourth Degree Criminal Sexual Conduct.

(a) A person is guilty of criminal sexual conduct in the fourth degree if he or she
engages in sexual contact with another person and if either of the following
circumstances exists:

(1) force or coercion is used to accomplish the sexual contact;

(2) the actor knows or has reason to know that the victim is mentally defective,
mentally incapacitated or physically helpless.

(3) the victim is at least fourteen (14) years of age and under eighteen (18) years
of age.

(b) Criminal sexual conduct in the fourth degree is a felony of the third degree;
~~except for first time offenders it is a misdemeanor.~~ However, if at the time of the
offense the victim is eighteen (18) years of age or older, and the defendant is a first
time sex offender, it is a misdemeanor.

Section 3. Effective Date. This Act shall be effective immediately upon
enactment.

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No.142-36 (LS)

As Amended by the Committee
on Health, Land, Justice and Culture

Introduced by:

Frank F. Blas Jr.

AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ADDING MORE PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.

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

2 **Section 1.** § 25.30 of Chapter 25, Title 9 Guam Code Annotated is hereby
3 *amended* to read:

4 **“§ 25.30. Fourth Degree Criminal Sexual Conduct.**

5 (a) A person is guilty of criminal sexual conduct in the fourth degree if he or
6 she engages in sexual contact with another person and if either of the
7 following circumstances exists:

8 (1) force or coercion is used to accomplish the sexual contact;

9 (2) the actor knows or has reason to know that the victim is mentally defective,
10 mentally incapacitated or physically helpless.

11 (3) the victim is at least fourteen (14) years of age and under sixteen (16) years
12 of age.

(b) Criminal sexual conduct in the fourth degree is a felony of the third degree, except, where the actor is a ~~for~~ first time offenders ~~it is a misdemeanor~~, and the victim is eighteen (18) years of age or older, it shall be a misdemeanor.”

Section 3. Effective Date. This Act shall be effective immediately upon enactment.

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÁHAN
2021 (FIRST) Regular Session

Bill No.142-36 (LS)

As Amended by the Committee
on Health, Land, Justice and Culture

Introduced by:

Frank F. Blas Jr.

**AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM
CODE ANNOTATED RELATIVE TO ADDING MORE
PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE
OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND
ENSURING THAT THE OFFENSE OF 4TH DEGREE
CRIMINAL SEXUAL CONDUCT AGAINST A MINOR
CANNOT BE REDUCED FROM A FELONY OF THE THIRD
DEGREE TO A MISDEMEANOR.**

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- 1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**
- 2 **Section 1.** §25.30 of Chapter 25, Title 9 Guam Code Annotated is hereby
- 3 amended to read:
- 4 **§ 25.30. Fourth Degree Criminal Sexual Conduct.**
- 5 (a) A person is guilty of criminal sexual conduct in the fourth degree if he or
- 6 she engages in sexual contact with another person and if either of the
- 7 following circumstances exists:
- 8 (1) force or coercion is used to accomplish the sexual contact;
- 9 (2) the actor knows or has reason to know that the victim is mentally defective,
- 10 mentally incapacitated or physically helpless.
- 11 (3) the victim is at least fourteen (14) years of age and under sixteen (16) years
- 1 of age.

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COMMITTEE MARK-UP VERSION OF BILL NO. 142-36 (LS)

1 (b) Criminal sexual conduct in the fourth degree is a felony of the third degree,-
2 except, where the actor is a for first time offenders it is a misdemeanor, and the victim
3 is eighteen (18) years of age or older, it shall be a misdemeanor.
4 **Section 3. Effective Date.** This Act shall be effective immediately upon
5 enactment.

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Vice Speaker

TINA ROSE MUÑA BARNES

CHAIRPERSON, COMMITTEE ON RULES

I Mina'trentai Sais Na Liheslaturan Guåhan

GUAM CONGRESS BUILDING
163 CHALAN SANTO PAPA
HAGÅTÑA, GUAM 96910
TEL 671-472-2461
COR@GUAMLEGISLATURE.ORG

June 4, 2021

MEMO

To: **Rennae Meno**
Clerk of the Legislature

From: **Vice Speaker Tina Rose Muña Barnes**
Chairperson, Committee on Rules

Re: **Fiscal Note Waivers**

Buenas yan Håfa adai.

Attached, please find the fiscal note waivers for the following bills:

Bill No. 142-36 (LS)
Bill No. 143-36 (LS)
Bill No. 144-36 (LS)
Bill No. 145-36 (LS)
Bill No. 147-36 (LS)

Please forward the same to Management Information Services (MIS) for posting on our website.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.





BUREAU OF BUDGET & MANAGEMENT RESEARCH

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932



LOURDES A. LEON GUERRERO
GOVERNOR

LESTER L. CARLSON, JR.
DIRECTOR

JOSHUA F. TENORIO
LIEUTENANT GOVERNOR

JUN 04 2021

Vice Speaker Tina Rose Muña Barnes
Chairperson, Committee on Rules
I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Hafa Adai! Vice Speaker Muña Barnes:

The Bureau requests that Bill No. 142-36 (LS) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

Legislative Bill No. 142-36 seeks to amend §25.30 of Chapter 25, Title 9, Guam Code Annotated relative to ensuring that the offense of 4th degree criminal sexual conduct against a minor cannot be reduced from a felony of the 3rd degree to a misdemeanor. The Bill amends the classification of a 4th degree criminal sexual conduct to include victims between the ages of fourteen (14) and eighteen (18). It further adds that if at the time of the offense of criminal sexual conduct in the 4th degree, the victim is eighteen (18) years of age or older and the defendant is a first-time sex offender, the offense is a misdemeanor.

As proposed, the amendments are administrative in nature and would not fiscally impact the appropriations for FY 2021.

Si Yu'us Ma'ase,


LESTER L. CARLSON, JR.



Office of the Speaker
THERESE M. TERLAJE

I Mina'trentai Sais na Liheslaturan Guåhan 36th Guam Legislature
Committee on Health, Land, Justice and Culture

COMMITTEE VOTE SHEET

Bill No. 142-36 (LS)- As Amended by the Committee on Health, Land, Justice and

Culture-Introduced by Senator Frank Blas Jr. – "AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ADDING MORE PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR."

	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Speaker Therese M. Terlaje Chairperson	<i>Therese M. Terlaje</i> 10.21.21			✓		
Senator Sabina Flores Perez Vice Chairperson of Health, Land and Culture						
Senator Telena C. Nelson Vice Chairperson of Justice	E-Vote 11/01/21			✓		
Vice Speaker Tina Muña Barnes Member						
Senator Joanne M. Brown Member	E-Vote 11/01/21	✓				
Senator Christopher M. Dueñas Member	E-Vote 10/22/21	✓				
Senator Amanda L. Shelton Member						
Senator Telo T. Taitague, Member	E-Vote 10/21/21			✓		
Senator Jose "Pedro" Terlaje Member						

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

Tel: (671) 472-3586 | Fax: (671) 969-3590 | Email: senatorterlajeguam@gmail.com | www.senatorterlaje.com

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please send to: speaker@guamlegislature.org*



Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com>

REQUEST FOR E-VOTE: BILL NO. 142-36 (LS)- AS AMENDED6 messages

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> Thu, Oct 21, 2021 at 4:06 PM
To: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, "Office of Senator Telen C. Nelson" <senatortcnelson@gmail.com>, Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, Chris Duenas <senatorchrisduenas@gmail.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Hafa Adai Committee Members,

Please see attached Committee Report on **Bill No. 142-36 (LS)- As Amended by the Committee on Health, Land, Justice and Culture- Introduced by Senator Frank Blas Jr. – “AN ACT TO AMEND §25.30 OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO ADDING MORE PROTECTION FOR MINOR VICTIMS UNDER THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AND ENSURING THAT THE OFFENSE OF 4TH DEGREE CRIMINAL SEXUAL CONDUCT AGAINST A MINOR CANNOT BE REDUCED FROM A FELONY OF THE THIRD DEGREE TO A MISDEMEANOR.”**

Please indicate your preferred action from the following;

- ☐ TO DO PASS
- ☐ TO DO NOT PASS
- ☐ TO REPORT OUT ONLY
- ☐ TO ABSTAIN;
- ☐ TO PLACE IN INACTIVE FILE

Should you have any questions, please do not hesitate to contact our office.

Respectfully,
Charissa L. Manibusan
Committee Director

Office of Speaker Therese M. Terlaje

Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com

website: www.senatorterlaje.com

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**COMMITTEE REPORT ON Bill No. 142-36 (LS) AS AMENDED_Redacted.pdf**

9144K

Senator Telo Taitague <senatortelot@gmail.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Thu, Oct 21, 2021 at 6:56 PM

report out only

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

36th Guam Legislature

Suite 309 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

[Quoted text hidden]

Chris Duenas <senatorchrisduenas@gmail.com>
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Fri, Oct 22, 2021 at 9:08 AM

Cc: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, "Office of Senator Telen C. Nelson" <senatortcnelson@gmail.com>, Senator Telen Cruz Nelson <senatortcnelson@guamlegislature.org>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Telo Taitague <senatortelot@gmail.com>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

Hafa Adai,

To Do Pass.

Si Yu'os Ma'åse',



Office of Senator Christopher M. Dueñas

36th Guam Legislature

I Mina'trentai Sais Na Liheslaturan Guåhan

(671) 989-9554 - 116 Chalan Santo Papa, Hagatna

senatorchrisduenas@gmail.com



@senatorduenas

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[Quoted text hidden]

Speaker Therese M. Terlaje <senatorterlajeguam@gmail.com> Fri, Oct 29, 2021 at 4:39 PM
To: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, "Office of Senator Telena C. Nelson" <senatortcnelson@gmail.com>, Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Jose Pedo Terlaje <senatorpedo@senatorjpterlaje.com>

Hafa Adai Committee Members,

This email is to follow up on the request for E-Vote on Bill No, 142-36 (LS)- As Amended.

Respectfully,
Charissa L. Manibusan
Committee Director

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture

I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com
website: www.senatorterlaje.com

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[Quoted text hidden]

Office of Senator Joanne M. Brown <office@senatorjoannebrown.com> Mon, Nov 1, 2021 at 12:05 PM
To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Hafa Adai Speaker,

To Do Pass.

Very Respectfully,

Joanne
Office of Senator Joanne M. Brown | *I Mina' Trentai Sais Na Liheslaturan Guåhan (36th Guam Legislature)*
[120 Father Dueñas Avenue](#)
Capitol Plaza Building, Suite 103
Hagåtña, Guam 96932

Hafa Adai! Except with respect to public records exempt from disclosure by express provisions of the law, please be advised that, as an official office of the Legislative Branch of the Government of Guam, this

electronic communication, is subject to the laws, rules and regulations governing the Sunshine Reform Act, and any other processes and procedures carried out in the spirit of an open and transparent government.

[Quoted text hidden]

Office of Senator Telena Cruz Nelson <senatortcnelson@guamlegislature.org>

Mon, Nov 1, 2021 at 4:59 PM

To: "Speaker Therese M. Terlaje" <senatorterlajeguam@gmail.com>

Cc: Sabina Perez <sabina@senatorperez.org>, Senator Sabina Perez <office@senatorperez.org>, "Office of Senator Telena C. Nelson" <senatortcnelson@gmail.com>, Vice Speaker Tina Rose Muña Barnes <senatormunabarnes@guamlegislature.org>, "Honorable Joanne M. Brown" <office@senatorjoannebrown.com>, "Amanda S. Shelton" <senatorshelton@guamlegislature.org>, Office of Senator Shelton Guam Legislature <officeofsenatorshelton@guamlegislature.org>, Senator Jose Pedro Terlaje <senatorpedo@senatorjpterlaje.com>

To report out only

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The Office of Senator Telena Cruz Nelson

Committee on Education, Self-Determination and Historic Preservation, Infrastructure, Border Safety, Federal and Foreign Affairs, and Maritime Transportation

I Mina'trentai Sais na Liheslaturan Guåhan | [36th Guam Legislature](#)

[173 Aspinall Avenue, Suite 202A](#) Ada Plaza Center, Hagåtña, Guam 96910

Phone: (671) 989-7696/4678

Email: senatortcnelson@guamlegislature.org

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