



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, GU 96932
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

DEC 29 2010

2010 DEC 30 AM 08:46

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

10-30 (097)
Office of the Governor
SUBMITTED FOR SIGNATURE
DEC 29 2010
4:07 PM
[Signature]

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 372-30 (COR) "AN ACT TO AMEND §13201(b) OF ARTICLE 2, CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT BY CLERGY PERSONNEL OF CHURCHES, OR OTHER RELIGIONS ORGANIZATIONS", which was enacted into law without the Governor's signature. The legislation is now designated as Public Law No. 30-218.

Sinseru yan Magåhet,

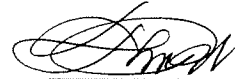
FELIX P. CAMACHO
I Maga'låhen Guahan
Governor of Guam

Attachment: copy of Bill

MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 372-30 (COR), "AN ACT TO AMEND §13201(b) OF ARTICLE 2, CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT BY CLERGY PERSONNEL OF CHURCHES, OR OTHER RELIGIOUS ORGANIZATIONS,"** returned without approval of *I Maga'laken Guåhan*, was reconsidered by *I Liheslaturan Guåhan* and after such consideration, did agree, on the 21st day of December, 2010, to pass said bill notwithstanding the veto of *I Maga'laken Guåhan* by a vote of Ten (10) Members.




Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'laken Guåhan* this 23 day of Dec., 2010, at 11:35 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

Public Law No. 30-218

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 372-30 (COR)

As substituted on the Floor and amended.

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §13201(b) OF ARTICLE 2,
CHAPTER 13, TITLE 19 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE REPORTING OF
SUSPECTED CHILD ABUSE OR NEGLECT BY
CLERGY PERSONNEL OF CHURCHES, OR OTHER
RELIGIOUS ORGANIZATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUÅHAN:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that recent allegations of clergy sexual abuse within the Catholic Church has
compelled the Vatican to issue an edict within the Congregation for the Doctrine

1 concerning Sexual Abuse Allegations that states, “Civil law concerning reporting
2 of crimes to the appropriate authorities should always be followed.” This
3 statement clarifies the Church’s intent to comply with civil reporting laws.
4 Therefore, *I Liheslatura* finds that a statutory amendment is necessary to help law
5 enforcement officials and Guam’s children.

6 **Section 2.** §13201(b) of Article 2, Chapter 13 of Title 19, Guam Code
7 Annotated, is hereby *amended* to read:

8 “(b) Persons required to report suspected child abuse under
9 Subsection (a) include, *but are not limited to*, any licensed physician,
10 medical examiner, dentist, osteopath, optometrist, chiropractor, podiatrist,
11 intern, registered nurse, licensed practical nurse, hospital personnel engaged
12 in the admission, examination, care or treatment of persons, Christian
13 Science practitioner, clergy member of any religious faith, or other similar
14 functionary or employee of any church, place of worship, or other religious
15 organization whose primary duties consist of teaching, spreading the faith,
16 church governance, supervision of a religious order, or supervision or
17 participation in religious ritual and worship, school administrator, school
18 teacher, school nurse, school counselor, social services worker, day care
19 center worker, or any other child care or foster care worker, mental health
20 professional, peace officer or law enforcement official.”

Overridden

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 12/21/10

VOTING SHEET

Vetoed

Bill No. 372-30

Resolution No. _____

Question: Notwithstanding the objections of the Governor's veto, should
the Legislature Guahan override Vetoed Bill 372-30 (CORS)?

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.		✓			
CALVO, Edward J.B.		✓			
CRUZ, Benjamin J. F.					EA
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo		✓			
TENORIO, Ray		✓			
WON PAT, Judith T.	✓				

TOTAL

10 4 _____ _____ 1

CERTIFIED TRUE AND CORRECT:

Patricia C. Lopez
Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, GU 96932
Tel: (671) 472-8931 • Fax: (671) 477-4826 • Email: governor@guam.gov

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina' Trenta Na Liheslaturan Guahan
155 Hessler Street
Hagåtña, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 12/13/2010
Time 4:56 PM
Received by [Signature]

DEC 13 2010 30-10-1060

Dear Speaker Won Pat:

Submitted herewith is Bill 372-30 (COR), "**AN ACT TO AMEND §13201(b) OF ARTICLE 2, CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT BY CLERGY PERSONNEL OF CHURCHES, OR OTHER RELIGIONS ORGANIZATIONS,**" which I have **vetoed**.

With the recent edict issued by the Vatican to comply with civil reporting laws, Senator B.J.F. Cruz introduced Bill No. 372-30 to amend 19 G.C.A. § 13201(b). 19 G.C.A. § 13201(a) requires *any* person who, in the course of his employment, occupation, practice or profession, comes into contact with children to report child abuse or neglect. Subsection (b) of 13201 then lists persons required to report, however the list is not exclusive and the law still requires *any* person to report.

As a matter of fact, the Bill proposes to include individuals beyond the scope of the original law which specifically applies to *any* person who, in the course of his employment, occupation, practice or profession, comes into contact with children and on the basis of his medical, professional or other training and experience has reason to suspect that a child is an abused or neglected child. The amendment includes individuals that do not work with children such as sacristans, lectors, Eucharistic ministers, volunteers, caregivers, etc. These categories of individuals in the church have been elevated to a level similar to clergy when their participation in the church is related to liturgical function. By virtue of their function, these individuals may be considered clergy members yet lack the requisite training to reasonably suspect child abuse or neglect.

While the Bill purports to provide clarity to the reporting law, the amendment to Subsection (b) of 13201 creates confusion with the original law to require certain people that come in contact with children to report by requiring other categories of people that do not come in contact with children and that may not have training and experience as required in the original law to reasonably suspect child abuse or neglect. If *I Liheslaturan Guahan* would like to require *any* person working for a church or religious institution to report child abuse, it needs to amend Subsection (a) of 13201 to be consistent with Bill No. 372-30. Otherwise, the existing law to report child abuse sufficiently applies to *any* person who, in the course of his employment,

occupation, practice or profession *in a religious institution*, comes into contact with children and has reason to suspect child abuse or neglect on the basis of his professional or other training and experience.

Therefore to help law enforcement officials and *Guahan's* children, I have vetoed the measure to avoid confusion in executing and enforcing 13201 which already requires *any* person in contact with children in the course of his employment, occupation, practice or profession to report child abuse in order to protect *Guahan's* children.

Sinseru yan Magåhet,

A stylized, handwritten signature in black ink, appearing to read 'F. Camacho', with a long horizontal stroke extending to the right.

FELIX P. CAMACHO

I Maga' Låhen Guahan

Governor of Guahan

Attachment

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 372-30 (COR), "AN ACT TO AMEND §13201(b) OF ARTICLE 2, CHAPTER 13, TITLE 19 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT BY CLERGY PERSONNEL OF CHURCHES, OR OTHER RELIGIOUS ORGANIZATIONS"**, was on the 30th day of November 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.
Speaker

Attested:




Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1st day of Dec, 2010, at
1100 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 372-30 (COR)

As substituted on the Floor and amended.

Introduced by:

B. J.F. Cruz
T. C. Ada
V. Anthony Ada
F. B. Aguon, Jr.
F. F. Blas, Jr.
E. J.B. Calvo
J. V. Espaldon
Judith P. Guthertz, DPA
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Telo Taitague
Ray Tenorio
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §13201(b) OF ARTICLE 2,
CHAPTER 13, TITLE 19 OF THE GUAM CODE
ANNOTATED, RELATIVE TO THE REPORTING OF
SUSPECTED CHILD ABUSE OR NEGLECT BY
CLERGY PERSONNEL OF CHURCHES, OR OTHER
RELIGIOUS ORGANIZATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUÅHAN:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
that recent allegations of clergy sexual abuse within the Catholic Church has
compelled the Vatican to issue an edict within the Congregation for the Doctrine
concerning Sexual Abuse Allegations that states, “Civil law concerning reporting

1 of crimes to the appropriate authorities should always be followed.” This
2 statement clarifies the Church’s intent to comply with civil reporting laws.
3 Therefore, *I Liheslatura* finds that a statutory amendment is necessary to help law
4 enforcement officials and Guam’s children.

5 **Section 2.** §13201(b) of Article 2, Chapter 13 of Title 19, Guam Code
6 Annotated, is hereby *amended* to read:

7 “(b) Persons required to report suspected child abuse under
8 Subsection (a) include, *but are not limited to*, any licensed physician,
9 medical examiner, dentist, osteopath, optometrist, chiropractor, podiatrist,
10 intern, registered nurse, licensed practical nurse, hospital personnel engaged
11 in the admission, examination, care or treatment of persons, Christian
12 Science practitioner, clergy member of any religious faith, or other similar
13 functionary or employee of any church, place of worship, or other religious
14 organization whose primary duties consist of teaching, spreading the faith,
15 church governance, supervision of a religious order, or supervision or
16 participation in religious ritual and worship, school administrator, school
17 teacher, school nurse, school counselor, social services worker, day care
18 center worker, or any other child care or foster care worker, mental health
19 professional, peace officer or law enforcement official.”

6

I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2010 (SECOND) Regular Session

Date: 11/30/10

VOTING SHEET

SBill No. 372-30(COR)

Resolution No. _____

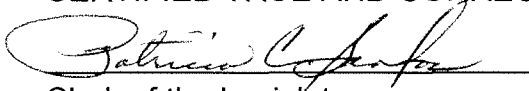
Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr. ///		X			
CALVO, Edward J.B. ///		X			
CRUZ, Benjamin J. F.					EA
ESPALDON, James V. //	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose //	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo ///		X			
TENORIO, Ray ///		X			
WON PAT, Judith T.	✓				

TOTAL

10 4 _____ _____ 1

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



July 23, 2010

The Honorable Judith T. Won Pat, Ed.D
Speaker
I Mina' Trenta Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: **The Honorable Rory J. Respicio**
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 372-30 (COR)

Madam Speaker:

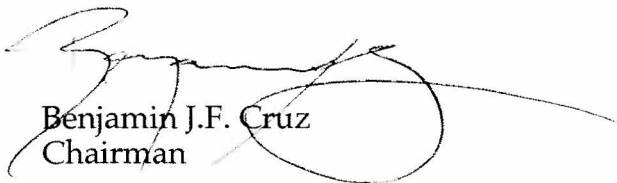
Transmitted herewith is the Committee Report on **Bill No. 372-30 (COR)** – “An act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations,” sponsored by B.J.F. Cruz and referred to the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting.

Committee votes are as follows:

16 TO DO PASS
0 TO DO NOT PASS
5 TO REPORT OUT ONLY
0 TO ABSTAIN
0 TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached. Si Yu'os Ma'ase for your attention to this matter.

Sincerely,


Benjamin J.F. Cruz
Chairman

2010 AUG -6 PM 3:48



COMMITTEE REPORT ON

BILL NO. 372-30 (COR)

B.J.F. CRUZ

“An act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations”



July 23, 2010

MEMORANDUM

To: All Members
Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting

From: Vice Speaker Benjamin J.F. Cruz
Committee Chairperson

Subject: Committee Report on Bill No. 372-30 (COR)

Transmitted herewith for your consideration is the Committee Report on Bill No. 372-30 (COR) – “An act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations,” sponsored by B.J.F. Cruz.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 372-30 (COR)
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Copy of COR Referral of Bill No. 372-30 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agenda

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

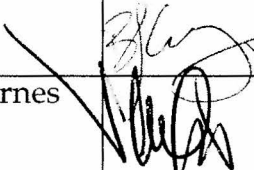
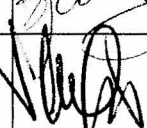






Si Yu'us ma'ase'!



COMMITTEE VOTING SHEET

COMMITTEE ON TOURISM, CULTURAL AFFAIRS, YOUTH, AND PUBLIC BROADCASTING

Bill No. 372-30 (COR) – B.J.F. Cruz – “An act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations.”

Senators	Signature	To Do Pass	To Do Not Pass	To Report Out Only	To Abstain	To Place In Inactive File
Benjamin J.F. Cruz Chairperson		7/23/10				
Tina Rose Muna-Barnes Vice Chairperson				✓		
Frank B. Aguon, Jr.						
Rory J. Respicio		✓				
Judith P. Guthertz				✓		
Thomas C. Ada		7/23/10				
Telo Taitague				✓		
Ray Tenorio				✓		
James Espaldon				✓		



COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting convened a public hearing on Monday, July 12, 2010 at 3:00 p.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 372-30 (COR) – “An act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations,” sponsored by B.J.F. Cruz.

Public Notice Requirements

All legal requirements for public notices were met with requests for publication sent to all media and all senators on July 2, and July 9, 2010. Notice of the hearing was also posted on the Guam Legislature's website and on the Chairman's website, www.senatorbjcruz.com.

Senators Present

Vice Speaker Benjamin J.F. Cruz, Chairperson
Sen. Telo Taitague
Sen. V.A. Ada
Sen. Frank F. Blas, Jr.

The public hearing was called to order at 3:15 p.m.

II. SUMMARY OF TESTIMONY AND DISCUSSION

Vice Speaker B.J.F. Cruz announced the afternoon's agenda and noted no one appeared to testify. He cited the several articles related to the Church's stance on sexual abuse as well as the Vatican's own procedures concerning matters of sexual abuse. Stated the Catholic Church is actually way ahead of us and that earlier this year, they amended their statute of limitations to 20 years. The Chairman commended the church for moving forward and that Bill No. 372 was introduced so that we can make it clear that the church has to report to authorities.

Michael Siler submitted written testimony **in support** of Bill No. 372-30, attached, in which he stated, “The bishops who knew [my abuser] was an abuser just moved him from church to church harming more innocent kids on the way.”

David Sky submitted written testimony **in support** of Bill No. 372-30, attached, in which he wrote, “A law like this would stop abuse happening RIGHT NOW in homes, schools and churches; put abusers on alert that their actions will be reported by clergy; aid law enforcement to prosecute criminals; empower clergy to do the right thing and report; and keep Guam's kids safe.”

Joey Piscitelli submitted written testimony **in support** of Bill No. 372-30, attached, in which he stated, “A very close friend of mine, whose father served in the military in Guam, was sexually abused by a Priest, when he was a child. He has suffered for years as a result of his experience. It has also devastated his family. The abuse was not reported when he was a child. I respectfully ask you to do what is necessary to pass this bill, as the protection of children by bills such as this can save innocent children from years of silent suffering.”

Sherida Ruiz submitted written testimony **in support** of Bill No. 372-30, attached.



Ray Higgins submitted written testimony **in support** of Bill No. 372-30, attached, in which he wrote, "My son was serially raped by two priests and although it was known by the clergy that this activity was going on, it was not reported by other priests because they were not mandatory reporters. We in California passed a similar law in the 1990s and the world did not come to an end and children are receiving the benefit of another level of protection that they so direly need.

David Zieber submitted written testimony **in opposition** to Bill No. 372-30, attached.

Albert S. Tobasna submitted written testimony **in opposition** to Bill No. 372-30, attached.

The Committee considers the bill heard and will leave the record open for ten (10) days to receive testimony.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting finds that Bill No. 372-30 (COR) is both timely and appropriate. While it appreciates that the Catholic Church has established as policy the requirement to report sexual abuse to legal authorities, the Committee finds that this legislation is necessary, as civil and criminal matters are governed by law, not by the Church.

The Catholic Church has been under fire not only for its failure to report sexual abuse committed by clerical personnel, but also for covering it up, thereby enabling sexual predators to continue abusing children. The Committee finds that the cycle of sexual abuse causes serious damage to the victim and weakens the fabric of the community as the initial impact trickles down to substance abuse, divorce, inability to maintain a job, and a litany of other problems. Therefore, the Committee finds that this bill will protect the rights of children by identifying sexual predators and bringing them to justice and will also help to rebuild and protect communities from the fallout of sexual abuse.

The Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting, to which was referred Bill No. 372-30 (COR), hereby submits these findings to *I Mina' Trenta na Libeslaturan Guåhan* and reports out Bill No. 372-30 (COR), with the recommendation to REPORT OUT ONLY.

I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (Second) Regular Session

Bill No. 370-30 (COR)

2010 NOV 14 PM 3:16

Introduced by:

B.J.F. Cruz 

**AN ACT TO AMEND § 13201(b) OF ARTICLE 2, CHAPTER 13,
TITLE 19 OF THE GUAM CODE ANNOTATED; RELATIVE
TO REPORTING OF SUSPECTED CHILD ABUSE OR
NEGLECT BY CLERICAL PERSONNEL OF CHURCHES OR
OTHER RELIGIOUS ORGANIZATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*

finds that recent allegations of clerical sexual abuse within the Catholic Church has compelled the Vatican to issue an edict within the Congregation for the Doctrine concerning Sexual Abuse Allegations that states, "Civil law concerning reporting of crimes to the appropriate authorities should always be followed." This statement clarifies the churches intent to comply with civil reporting laws. Therefore, I Liheslatura finds that a statutory amendment is necessary to help law enforcement officials and Guam's children.

Section 2. Subsection § 13201. of Article 3, Chapter 13 of Title 19, Guam Code Annotated is hereby *amended* to read:

1 **“§ 13201. Persons Required to Report Suspected Child Abuse or**
2 **Neglect.**

3 (a) Any person who, in the course of his or her employment,
4 occupation or practice of his or her profession, comes into contact with
5 children shall report when he or she has reason to suspect on the basis of his
6 medical, professional or other training and experience that a child is an
7 abused or neglected child. No person may claim “privileged
8 communications” as a basis for his or her refusal or failure to report
9 suspected child abuse or neglect or to provide Child Protective Services or
10 the Guam Police Department with required information. Such privileges are
11 specifically abrogated with respect to reporting suspected child abuse or
12 neglect or of providing information to the agency.

13 (b) Persons required to report suspected child abuse under subsection
14 (a) include but are not limited to any licensed physician, medical examiner,
15 dentist, osteopath, optometrist, chiropractor, podiatrist, intern, registered
16 nurse, licensed practical nurse, hospital personnel engaged in the admission,
17 examination, care or treatment of persons, Christian Science practitioner,
18 Roman Catholic Archbishop, Bishop, Cleric, Pastor, Clergy, Priest, Deacon,
19 Minister, Rector, or other similar functionary or employee of a church or
20 other religious organization whose primary duties consist of teaching,
21 spreading the faith, church governance, supervision of a religious order, or
22 supervision or participation in religious ritual and worship, school
23 administrator, school teacher, school nurses, school counselor, social
24 services worker, day care center worker or any other child care or foster care
25 worker, mental health professional, peace officer or law enforcement
26 official.”

1 (c) Any commercial film and photographic print processor who has
2 knowledge of or observes, within the scope of his or her professional
3 capacity or employment, any film, photograph, video tape, negative or slide
4 depicting a child under the age of 18 engaged in an act of sexual conduct
5 shall report such instances of suspected child abuse to Child Protective
6 Services immediately or as soon as practically possible by telephone and
7 shall prepare and send a written report of it with a copy of the film,
8 photograph, video tape, negative or slide attached within 48 hours of
9 receiving the information concerning the incident. As used in this section,
10 sexual conduct means any of the following:

11 (1) Sexual intercourse, including genital-genital, oral-genital, anal-
12 genital or oral-anal, whether between persons of the same or opposite sex or
13 between humans and animals;

14 (2) Penetration of the vagina or rectum by any object;

15 (3) Masturbation, for the purpose of sexual stimulation or the viewer;

16 (4) Sadomasochistic abuse for the purpose of sexual stimulation of the
17 viewer; or

18 (5) Exhibition of the genitals, pubic or rectal areas of any person for
19 the purpose of sexual stimulation to the viewer.”



PUBLIC HEARING SIGN-IN SHEET
Monday, July 12, 2010 | 3:00 P.M. | Public Hearing Room

Bill No. 372-30 (COR) – B.J. Cruz – An act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the
Guam Code Annotated; Relative to reporting of suspected child abuse or neglect by clerical personnel
of churches or other religious organizations

NAME	AGENCY OR ORGANIZATION (IF ANY)	SUPPORT? OPPOSE?	WRITTEN TESTIMONY	ORAL TESTIMONY	CONTACT NUMBER	EMAIL ADDRESS
Lenny Swartz	KOAM					



B.J.F. Cruz <senadotbjcruz@gmail.com>

BILL 3721 message

Joelle Casteix <jcasteix@gmail.com>

Tue, Jul 13, 2010 at 3:02 PM

To: "B.J.F. Cruz" <senadotbjcruz@gmail.com>

Hello,

I am a victim of father eleuterio ramos back in 1978-79 when I was 13, I'm now 45 and just had suppressed memories from that time and my life is unravelling from it. The sad thing is he wasn't punished for it. The bishops who knew he was an abuser just moved him from church to church harming more innocent kids on the way. If you read eleuterio ramos king of the county pedophiles on the Internet you would understand why it is important to have the perverts report that they are sexual abusers to let the public know. Please do your duties and pass the bill. My life is screwed up forever because of him. Don't let this happen no more.

MICHAEL SILER
1771 LAGUNA ST #15
CONCORD CA 94520
925 705-5555



B.J.F. Cruz <senadotbjcruz@gmail.com>

Bill Number 372

1 message

Joelle Casteix <jcasteix@gmail.com>

Tue, Jul 13, 2010 at 3:03 PM

To: "B.J.F. Cruz" <senadotbjcruz@gmail.com>

From: <dave@maidenhumboldt.com>
Date: July 12, 2010 2:18:46 PM PDT
To: jcasteix@gmail.com
Subject: Bill Number 372
Reply-To: <dave@maidenhumboldt.com>

Please support Bill number 372

A law like this would:

- stop abuse happening RIGHT NOW in homes, schools and churches
- put abusers on alert that their actions will be reported by clergy
- aid law enforcement to prosecute criminals,
- empower clergy to do the right thing and report, and
- keep Guam's kids safe

I am a survivor of child abuse and at 53 I still haven't gotten over it. I wouldn't want anyone else to go through the Post Trauma of it all. Please support humanity by removing child predators from society. They do the most damage.

Thanks,

CetanSka David Sky
pob 2182
Redway CA 95560
707/223-6525



B.J.F. Cruz <senadotbjcruz@gmail.com>

Guam bill No: 3721 message

caljoey1@aol.com <caljoey1@aol.com>**Tue, Jul 13, 2010 at 2:26 PM**

To: senadotbjcruz@gmail.com

Cc: SNAPdorris@gmail.com, jcasteix@gmail.com

Joey Piscitelli
Martinez, Ca.

Senator B. J. Cruz, RE: BILL NO: 372

Dear Senator Cruz,

I am a clergy abuse victims advocate in California, and I understand that a new law has been proposed in Guam to make clergy mandatory reporters for child abuse knowledge or claims. A very close friend of mine, whos father served in the military in Guam, was sexually abused by a Priest, when he was a child. He has suffered for years as a result of his abuse, and he has not recovered from the psychological damage he incurred as a result of his experience. It has also devastated his family. The abuse was not reported when he was a child. I respectfully ask you to do what is necessary to pass this bill, as the protection of children by bills such as this can save innocent children from years of silent suffering, and can contribute to the prevention, and early detection of abuse. It can also deter predators, and promote an atmosphere of safety for vulnerable children in Guam.

Thank you,
Sincerely,
Joey Piscitelli
Martinez, Ca. 94553
925-262-3699



B.J.F. Cruz <senadotbjcruz@gmail.com>

Re Bill 372

1 message

Sherida Ruiz <sherida@roadrunner.com>

Tue, Jul 13, 2010 at 12:55 PM

To: senadotbjcruz@gmail.com

Please support the passage of Bill 372 where clergy is mandated to report child abuse and or sexual abuse of children.

Sincerely,

Sherida Ruiz
1640 Chanticleer Road
Anaheim, California 92802

**B.J.F. Cruz** <senadotbjcruz@gmail.com>

Bill 372

1 message

Ray Higgins <rayhigg@cox.net>**Tue, Jul 13, 2010 at 8:45 AM**

To: senadotbjcruz@gmail.com

Dear Senator Cruz,

I favor bill 372 that will require clergy members to be mandatory reporters of child abuse. My son was serially raped by two priests and although it was known by the clergy that this activity was going on it was not reported by other priests because they were not mandatory reporters. We in California passed a similar law in the 1990s and the world did not come to an end and children are receiving the benefit of another level of protection that they so direly need.

Best regards.

Ray Higgins
4509 Atascadero Dr.
Santa Barbara, CA 93110



Maya Alonso <maya@guamlegislature.org>

Fwd: bill 372

Bj Cruzc <senadotbjcruz@gmail.com>

Mon, Jul 12, 2010 at 4:32 PM

To: "Office of Vice Speaker B.J.F. Cruz" <maya@guamlegislature.org>

put in the file.

Sent from Bj Cruz

Begin forwarded message:

From: David Zieber <dkenyaz@hotmail.com>

Date: July 12, 2010 2:26:21 PM GMT+10:00

To: <judiguthertz@pticom.com>, <senabpalacios@gmail.com>, <senbenp@guam.net>, <sencalvo@gmail.com>, <aguon4guam@gmail.com>, <frank.blasjr@gmail.com>, <senator@espaldon.com>, <speaker@judiwonpat.com>, <ray@raytenorio.com>, <rotyforguam@gmail.com>, <senatortelo@gmail.com>, <tinamunabarnes@gmail.com>, <office@senatorada.org>, <senadotbjcruz@gmail.com>

Subject: bill 372

Senators,

Senator Cruz acknowledges the Vatican has directed the Church to abide by civil laws. Don't bother with bill 372. Be practical. Sec. 13202 of current law applies to clergy and all others. Too, identifying an individual, even by title (Catholic Archbishop or bishop), sounds very unconstitutional to me!

David Zieber

Your E-mail and More On-the-Go. Get Windows Live Hotmail Free. [Sign up now.](#)

RECEIVED
7/14/10

Testimony on Bill 372-30
by Albert S. Topasna
Private Investigator
P.O. Box 3671 Agana, Guam 96910

Dear Senator,

I am against "amending" Bill 372-20, which "newly discovered" allegations of "sexual abuse" by the Cleric, at such that, this Bill is "DISCRIMINATE" and "PREJUDICIAL" against all other religions and faith.

That, in this doctrine it eludes other religion and preempts the Catholic Congregation and excludes other religious organizations. This is a violation of Church and State law and powers.

Why should the state invoke its intent in the Catholic Church as well as other religions, and this doctrine points to compel the Vatican because of just and recent sexual abuse by the Clerics was dramatized.

Are we to challenge Civil Law versus Religious law? Are there other congregations faced with this problem and/or incidents that the freedom of religion is hereby dishonored?

The intent of this Bill (Bill 372-20) violates every individual's privacy. It is the U.S. Constitution plans to enforce a Doctrine because we want to change a statute?

At the end of the day, by amending Chapter 13, Article 2 Guam Code Annotated, section 12302 indicates or requires those "persons and officials required to report child abuse or neglect, and that any person may make such report if that person has reasonable cause to suspect that a child is an abused or a neglected child."


Investigative Conclusion...

In this aspect, there is a strong legal position and definition at which this section mentions REASONABLE CAUSE NOT PROBABLE CAUSE. In addition, Title 19, Chapter 13, Article 2 further indicates the position "any person may make such a report and that there is suspicion that a child is abused or neglected".

Generally, this law did not address the order of reporting, in that, it did not distinguish the age of an individual, in the reporting stage and order of responsibility. This law will recklessly accord temperament between civil law as well as religious law and will divide society.

Respectfully,

Albert S. Topasha

7-13-10
4:45 ✓


**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

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

FELIX PEREZ CAMACHO
GOVERNOR

BERTHA M. DUENAS
DIRECTOR

MICHAEL W. CRUZ, M.D.
LIEUTENANT GOVERNOR

APR 23 2010

The Bureau requests that Bill No. 372-30(COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The above referenced Bill is administrative in nature and do not have any potential impact upon the revenues or the expenditure of any funds of the Government of Guam.

A handwritten signature in black ink, appearing to read "Bertha M. Duenas", written over a horizontal line.

BERTHA M. DUENAS
Director



COMMITTEE ON RULES

I Mina'Trenta na Liheslaturan Guåhan • 30th Guam Legislature

155 Hesler Place, Hagatña, Guam 96910 • tel: (671)472-7679 • fax: (671)472-3547 • roryforguam@gmail.com

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RORY J.
RESPICIO
CHAIRPERSON**

**SENATOR
Judith P. Guthertz
VICE
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SENATOR**

**James V. Espaldon
SENATOR**

April 15, 2010

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Judith P. Guthertz, DPA
Acting Chairperson, Committee on Rules

Subject: Referral of Bill No. 372-30(COR)

As Acting Chairperson of the Committee on Rules, I am forwarding my referral of Bill No. 372-30(COR).

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina' Trenta Na Liheslaturan Guåhan*.

Should you have any questions, please contact Stephanie Mendiola or Elaine Tajalle at 472-7679.

Si Yu'os Ma'åse'!

(1) Attachment

2010 APR 15 11:52

I Mina'Trenta Na Liheslaturan Guåhan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date)
B372-30 (COR)	B.J.F. Cruz	An act to amend § 13101 and § 13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations.	4/14/10 3:16 p.m.	4/15/10	Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting			



June 21, 2010

Bertha Duenas
Director
Bureau of Budget and Management Research
P.O. Box 2950
Hagåtña, Guam 96932

Re: Fiscal Note for Bill No. 372-30 (COR)

Dear Ms. Duenas:

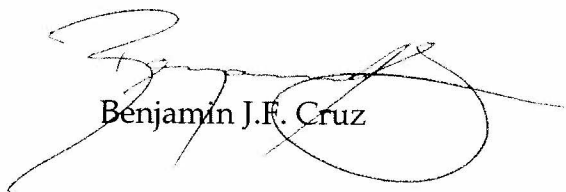
Hafa adai! Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will conduct a **Public Hearing** on **Monday, July 12, 2010 at 3:00 p.m.** on the following:

- Bill No. 372-30 (COR) – B.J.F. Cruz – And act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; Relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations

I respectfully request a fiscal note on the bill within the 10-day review period.

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

Sincerely


Benjamin J.F. Cruz

Last Transaction	Date	Time	Type	Identification	Duration	Pages	Result
	Jun 21	12:58pm	Fax Sent	4722825	0:57	4	OK

Jun 21 2010 12:59pm
477-2522

Log for

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner

COPY

Senator Benjamin J.F. Cruz, Vice Speaker
CHAIRMAN, COMMITTEE ON TOURISM, CULTURAL AFFAIRS,
YOUTH AND PUBLIC BROADCASTING
WEB ADDRESS: www.senatorbjcruz.com



I Mina'Trenta na Libeslaturan Guåhan

THIRTIETH GUAM LEGISLATURE

155 HESLER PLACE, HAGĀTÑA, GUAM 96910 • senatorbjcruz@gmail.com

TELEPHONE: (671) 477-2520/1 • FACSIMILE: (671) 477-2522

June 24, 2010

Catriona Melyan
DNA Building
238 Archbishop Flores St.
Hagatna, GU 96910
(671) 479-0404

RE: Press Release for First Notice of Public Hearing on July 12, 2010.

Dear Ms. Melyan:

Hafa adai. Please find the attached press release regarding the Public Hearing on July 12, 2010. Please include this information in your publication on or before July 2.

Sincerely,

A handwritten signature in black ink, appearing to read "B.J.F. Cruz".

Vice Speaker B.J.F. Cruz

Received By JERMAINE Q.
Date 6.24.10



July 2, 2010

MEMORANDUM

To: All Senators

From: Vice Speaker Benjamin J.F. Cruz
Chairman, Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Subject: First Notice – Public Hearing
Monday, July 12, 2010

Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will conduct a **Public Hearing** on **Monday, July 12, 2010 at 3:00 p.m.** in the Legislature's Public Hearing Room. The Committee will receive testimony on the following:

- Bill No. 372-30 (COR) – B.J.F. Cruz – And act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; Relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations
- Bill No. 373-30 (COR) – F.F. Blas, Jr., V.A. Ada – An act to add Chapter 8A to Title 5 of the Guam Code Annotated requiring that all notices paid for by the government of Guam shall be issued in both Chamorro and English

Should you have any questions, please call our office at 477-2520/1.

cc: Sergeant-at-Arms/Protocol/AV
Clerk of the Legislature
MIS



Maya Alonso <maya@guamlegislature.org>

MEMO: First Notice of Public Hearing - Bills 372, 372

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Fri, Jul 2, 2010 at 2:49 PM

To: senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, "B.J.F. Cruz" <senadotbjcruz@gmail.com>, Ben Pangelinan <senbenp@guam.net>, "Edward J.B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Judith Guthertz <judiguthertz@pticom.com>, Ray Tenorio <ray@raytenorio.com>, Ray Tenorio <raytenorio@yahoo.com>, Senator Respicio <roryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, aokada@guamlegislature.org, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, edpocague@judiwonpat.com, edpocague@yahoo.com, epogue@hotmail.com, fba_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sayama01@yahoo.com, teddytaz_222@yahoo.com, tpmatanane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, Bill Phillips <phillipsguam@gmail.com>, Chelsa Muna Brecht <cmunabrecht@guamlegislature.org>, Derick Hills <derickhills@live.com>, Doc Santos <doc.wytenbachsantos@gmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <feaburgos@gmail.com>, Gina Tabonares <aguonmedia@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jon Blas <jonatwork2010@gmail.com>, Jose Cruz <josecruzjr17@yahoo.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Maria Pangelinan <mpangelinan@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Maya Alonso <maya@guamlegislature.org>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, Sahara J Defensor <sahara@judiwonpat.com>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, sgtarms@guamlegislature.org, tunsio@guamlegislature.org, yong@guamlegislature.org

Hafa Adai All,

Attached please find the first notice of public hearing of Bill No. 372-30 and 373-30.

Thank you for your consideration.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522



070210 BJCruz Memo 1st Notice of Public Hearing 071210.pdf
252K



Maya Alonso <maya@guamlegislature.org>

MEDIA: First Notice of Public Hearing of Bills 372, 373

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Fri, Jul 2, 2010 at 2:49 PM

To: admin@mvguam.com, bgaeth@k57.com, bmkelman@guampdn.com, carlene@guahanmagazine.com, clynt@spbgum.com, cmurphy1@guam.gannett.com, dcrisost@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, edavis@k57.com, editor2@directionsguam.com, editor@mvguam.com, gdumat-ol@guampdn.com, gerry@mvguam.com, jason@kuam.com, jeff@marianasmedia.com, john@kuam.com, john@marianasmedia.com, kalba@guampdn.com, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofiguam.com, manasilva626@yahoo.com, mar_vic_cagurangan@yahoo.com, marvic@mvguam.com, maya.alonso@gmail.com, michael@marianasmedia.com, mindy@kuam.com, news@k57.com, parroyo@k57.com, publisher@glimpsesofiguam.com, reporter1@glimpsesofiguam.com, rgibson@k57.com, rlene@rlenelive.com, Sabrina@kuam.com, scoop@guamnewsfactor.com, slintiac@guampdn.com, therese@mvguam.com, travis.coffman@gmail.com, zita@mvguam.com, Catriona Melyan <cmelyan@guampdn.com>, "David V. Crisostomo" <dcrisostomo@guampdn.com>, KUAM <hottips@kuam.com>, Lannie Walker <lannie@kuam.com>, Nick Delgado <nick@kuam.com>, Pacific News Center <news@spbgum.com>

Hafa Adai All:

Attached, please find the press release for our public hearing of Bills 372 and 373.

Thank you for your consideration.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522



062410 BJ Cruz News Release 1st notice of PH on B372 and B373.pdf

315K



NEWS RELEASE

FIRST NOTICE OF PUBLIC HEARING: BILL NO. 372 and 373-30 (COR)

(June 24, 2010 – Hagåtña, Guam) Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be conducting a public hearing on Monday, July 12, 2010 in the Legislature's Public Hearing Room. This hearing is scheduled to receive testimony on the following:

3:00 P.M.

- Bill No. 372-30 (COR) – B.J.F. Cruz – And act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; Relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations
- Bill No. 373-30 (COR) – F.F. Blas, Jr., V.A. Ada – An act to add Chapter 8A to Title 5 of the Guam Code Annotated requiring that all notices paid for by the government of Guam shall be issued in both Chamorro and English

Please address written testimony to Vice Speaker B.J.F. Cruz, Committee Chair, and mail or submit to 155 Hesler Place, Hagåtña, Guam, 96910; e-mail to senadotbjcruz@gmail.com; or send via facsimile to (671) 477-2522. Individuals requiring special accommodations shall contact and submit their request to Maya Alonso at the Office of Vice Speaker Cruz, (671) 477-2520/1.

We look forward to your attendance and participation.

For more information, contact the office of Vice Speaker Cruz at 477-2520/1.

COPY

Senator Benjamin J.F. Cruz, Vice Speaker
MAINTENANCE COMMITTEE ON TOURISM, CULTURAL AFFAIRS,
YOUTH AND PUBLIC BROADCASTING
WEB ADDRESS: www.senatorbjcruz.com



I Mina'Trenta na Libeslaturan Guåhan

THIRTIETH GUAM LEGISLATURE

155 HESLER PLACE, HAGATNA, GUAM 96910 • senatorbjcruz@gmail.com

TELEPHONE: (671) 477-2520/1 • FACSIMILE: (671) 477-2522

July 1, 2010

Catriona Melyan
DNA Building
238 Archbishop Flores St.
Hagatna, GU 96910
(671) 479-0404

RE: Press Release for Second Notice of Public Hearing on July 12, 2010.

Dear Ms. Melyan:

Hafa adai. Please find the attached press release regarding the Public Hearing on July 12, 2010. Please include this information in your publication on or before July 10.

Sincerely,

A handwritten signature in black ink, appearing to read "B.J.F. Cruz", written over a horizontal line.

Vice Speaker B.J.F. Cruz

Received By JERMINEO
Date 7-01-10



Maya Alonso <maya@guamlegislature.org>

MEMO: Second Notice of Public Hearing - Bills 372, 373

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Fri, Jul 9, 2010 at 4:27 PM

To: senjim@ite.net, "Adolpho B. Palacios" <senabpalacios@gmail.com>, "B.J.F. Cruz" <senadotbjcruz@gmail.com>, Ben Pangelinan <senbenp@guam.net>, "Edward J.B. Calvo" <sencalvo@gmail.com>, "Frank B. Aguon, Jr." <aguon4guam@gmail.com>, "Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Jimmy Espaldon <senator@espaldon.com>, Judi Won Pat <info@judiwonpat.com>, Judith Guthertz <judiguthertz@pticom.com>, Ray Tenorio <ray@raytenorio.com>, Ray Tenorio <raytenorio@yahoo.com>, Senator Respicio <roryforguam@gmail.com>, Telo Taitague <senatortelo@gmail.com>, Tina Muna Barnes <tinamunabarnes@gmail.com>, Tom Ada <tom@senatorada.org>, aokada@guamlegislature.org, chris.budasi@guamlegislature.org, ciquinata@gmail.com, cyrus@senatorada.org, edpocaigue@judiwonpat.com, edpocaigue@yahoo.com, epogogue@hotmail.com, fba_irenem@yahoo.com, fbtorres@yahoo.com, jamespcastro@gmail.com, jennifer@mattrector.com, jessica@raytenorio.com, jonbdiaz@gmail.com, legislativesecretary1@gmail.com, lizama.frances@gmail.com, mark@judiwonpat.com, maryfejeran@gmail.com, maya.alonso@gmail.com, mermae@raytenorio.com, mjperez48@yahoo.com, mona.duenas@gmail.com, patrickcepeda@hotmail.com, pjtcruz@yahoo.com, rjquitugua@gmail.com, rob.tupaz@gmail.com, roberto.phil@gmail.com, roland@judiwonpat.com, rsmuna@yahoo.com, sayama01@yahoo.com, teddytaz_222@yahoo.com, tpmatanane@yahoo.com, vel.komiyama@yahoo.com, zunior0831@hotmail.com, Bill Phillips <phillipsguam@gmail.com>, Chelsa Muna Brecht <cmunabrecht@guamlegislature.org>, Derick Hills <derickhills@live.com>, Doc Santos <doc.wytenbachsantos@gmail.com>, Elaine Tajalle <elainevtll@gmail.com>, Frank Torres <fbtorres@judiwonpat.com>, Fred Burgos <feaburgos@gmail.com>, Gina Tabonares <aguonmedia@gmail.com>, Jay Sunga <ajsunga@senatorada.org>, Jon Blas <jonatwork2010@gmail.com>, Jose Cruz <josecruzjr17@yahoo.com>, Joy Unpingco <joyunpingco@gmail.com>, Lisa Cipollone <cipo@guamlegislature.org>, Maria Pangelinan <mpangelinan@guamlegislature.org>, Mary Lou Wheeler <mlwheeler2000@yahoo.com>, Maya Alonso <maya@guamlegislature.org>, Mike Lidia <mike.lidia9@gmail.com>, Nicole Santos <nsantos@senatorada.org>, Phillip Leon Guerrero <phill@raytenorio.com>, Ron Taitague <ez2plez57@yahoo.com>, Sahara J Defensor <sahara@judiwonpat.com>, Selina Onedera-Salas <sonedera-salas@guamlegislature.org>, Stephanie Mendiola <sem@guamlegislature.org>, "teddytaz@ite.net" <teddytaz@ite.net>, Tony Quitugua <tq@guamlegislature.org>, Daniel Perez <dperez@guamlegislature.org>, Dorothy Cruz <dot@guamlegislature.org>, Elvy Mew <emew@guamlegislature.org>, Flo Terlaje <fterlaje@guamlegislature.org>, Maria Nieves Materne <nieves@guamlegislature.org>, Pat Santos <psantos@guamlegislature.org>, Rennae Perez <rennae@guamlegislature.org>, sgtrams@guamlegislature.org, tunsio@guamlegislature.org, yong@guamlegislature.org

Hafa Adai All,

Attached please find the second notice of public hearing of Bill No. 372-30 and 373-30.

Thank you for your consideration.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522



070910 BJCruz Memo 2nd notice of Public Hearing 071210.pdf

258K



July 9, 2010

MEMORANDUM

To: All Senators

From: Vice Speaker Benjamin J.F. Cruz
Chairman, Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting

Subject: Second Notice – Public Hearing
Monday, July 12, 2010

Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will conduct a **Public Hearing on Monday, July 12, 2010 at 3:00 p.m.** in the Legislature's Public Hearing Room. The Committee will receive testimony on the following:

- Bill No. 372-30 (COR) – B.J.F. Cruz – And act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; Relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations
- Bill No. 373-30 (COR) – F.F. Blas, Jr., V.A. Ada – An act to add Chapter 8A to Title 5 of the Guam Code Annotated requiring that all notices paid for by the government of Guam shall be issued in both Chamorro and English

Should you have any questions, please call our office at 477-2520/1.

cc: Sergeant-at-Arms/Protocol/AV
Clerk of the Legislature
MIS



Maya Alonso <maya@guamlegislature.org>

MEDIA: Second Notice of Public Hearing

Office of Vice Speaker B.J.F. Cruz <maya@guamlegislature.org>

Fri, Jul 9, 2010 at 4:27 PM

To: admin@mvguam.com, bgaeth@k57.com, bmkelman@guampdn.com, carlene@guahanmagazine.com, clynt@spbgum.com, cmurphy1@guam.gannett.com, dcrisost@guampdn.com, dmgeorge@guampdn.com, dtamondong@guampdn.com, edavis@k57.com, editor2@directionsguam.com, editor@mvguam.com, gdumat-ol@guampdn.com, gerry@mvguam.com, jason@kuam.com, jeff@marianasmedia.com, john@kuam.com, john@marianasmedia.com, kalba@guampdn.com, koreannews@guam.net, kprg@guam.net, kstone@ite.net, life@guampdn.com, mabuhaynews@yahoo.com, managingeditor@glimpsesofiguam.com, manasilva626@yahoo.com, mar_vic_cagurangan@yahoo.com, marvic@mvguam.com, maya.alonso@gmail.com, michael@marianasmedia.com, mindy@kuam.com, news@k57.com, parroyo@k57.com, publisher@glimpsesofiguam.com, reporter1@glimpsesofiguam.com, rgibson@k57.com, rlene@rlenelive.com, Sabrina@kuam.com, scoop@guamnewsfactor.com, slintiac@guampdn.com, therese@mvguam.com, travis.coffman@gmail.com, zita@mvguam.com, Catriona Melyan <cmelyan@guampdn.com>, "David V. Crisostomo" <dcrisostomo@guampdn.com>, KUAM <hottips@kuam.com>, Lannie Walker <lannie@kuam.com>, Nick Delgado <nick@kuam.com>, Pacific News Center <news@spbgum.com>

Hafa Adai All:

Attached, please find the press release for our public hearing of Bills 372 and 373.

Thank you for your consideration.

--

Maya Alonso
Office of Vice Speaker B.J.F. Cruz
30th Guam Legislature
155 Hesler Place
Hagatna, Guam 96910
Tel: (671) 477-2520/1
Fax: (671) 477-2522



070110 BJ Cruz News Release 2nd notice of PH B372 and B373.pdf

318K



NEWS RELEASE

SECOND NOTICE OF PUBLIC HEARING: BILL NO. 372 and 373-30 (COR)

(July 1, 2010 – Hagåtña, Guam) Please be advised that the Committee on Tourism, Cultural Affairs, Youth, and Public Broadcasting will be conducting a public hearing on Monday, July 12, 2010 in the Legislature's Public Hearing Room. This hearing is scheduled to receive testimony on the following:

3:00 P.M.

- Bill No. 372-30 (COR) – B.J.F. Cruz – And act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; Relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations
- Bill No. 373-30 (COR) – F.F. Blas, Jr., V.A. Ada – An act to add Chapter 8A to Title 5 of the Guam Code Annotated requiring that all notices paid for by the government of Guam shall be issued in both Chamorro and English

Please address written testimony to Vice Speaker B.J.F. Cruz, Committee Chair, and mail or submit to 155 Hesler Place, Hagåtña, Guam, 96910; e-mail to senadotbjcruz@gmail.com; or send via facsimile to (671) 477-2522. Individuals requiring special accommodations shall contact and submit their request to Maya Alonso at the Office of Vice Speaker Cruz, (671) 477-2520/1.

We look forward to your attendance and participation.

For more information, contact the office of Vice Speaker Cruz at 477-2520/1.



PUBLIC HEARING
MONDAY, JULY 12, 2010, 3:00 P.M.
Public Hearing Room • *I Liheslatura* • Hagåtña, Guam

AGENDA

- I. Call to Order
- II. Announcements
- III. Items for Consideration

3:00 P.M.

- Bill No. 372-30 (COR) – B.J.F. Cruz – An act to amend §13201(b) of Article 2, Chapter 13, Title 19 of the Guam Code Annotated; Relative to reporting of suspected child abuse or neglect by clerical personnel of churches or other religious organizations
- Bill No. 373-30 (COR) – F.F. Blas, Jr., V.A. Ada – An act to add Chapter 8A to Title 5 of the Guam Code Annotated requiring that all notices paid for by the government of Guam shall be issued in both Chamorro and English

- IV. Remarks
- V. Adjournment

Electronic copies of the items above can be found on the Guam Legislature's website at www.guamlegislature.com. Hard copies can be obtained by visiting the Office of the Clerk of the Legislature. Testimony should be addressed to Vice Speaker Benjamin J.F. Cruz, Chairperson of the Committee on Tourism, Cultural Affairs, Youth and Public Broadcasting, and may be submitted via hand delivery to our office or our mailbox at the Guam Legislature, 155 Hesler Place, Hagåtña, Guam 96910; via e-mail to senadotbjcruz@gmail.com; or via facsimile to (671) 477-2522. Individuals requiring special accommodations, auxiliary aids or services shall contact and submit their request to Maya Alonso or Jose Cruz at our office. For further information, please call 477-2520/21. I look forward to your attendance and participation. *Si Yu'us ma'ase'!*

Vatican to issue sex abuse document



◀ In this picture made available by the Vatican newspaper *Osservatore Romano*, Pope Benedict XVI, left, shakes hands with Vienna's archbishop, Cardinal Christoph Schoenborn during their private meeting at the Vatican. Pope Benedict XVI will soon issue a document outlining the church's procedures for handling clerical sex abuse cases. AP

In 2003 – a year after the U.S. abuse scandal exploded – the norms were amended to speed up administrative penalties against abusive clerics where the evidence against them is overwhelming, among other things.

But those 2003 modifications were ad hoc and temporary in nature and had to be reconfirmed, for example, by Benedict after John Paul died in 2005.

By gathering them together and including them now in an official, binding document, they become permanent church law.

VATICAN CITY (AP) – Pope Benedict XVI will soon issue a document outlining the church's procedures for handling clerical sex abuse cases that will gather the norms now in use and make

been modified and updated from a 2001 Vatican document and set of procedures issued by Pope John Paul II outlining how the church should handle the abuse of minors by priests.

The 2001 documents require bishops to report credible accusations of abusive priests to the Congregation, which then decides how to proceed, including through a full canonical trial.

→ next page

them permanent and legally binding, a Vatican official and canon lawyer said Tuesday.

The "instruction" from the Congregation for the Doctrine of the Faith has been in the works for some time.

But its impending publication has taken on new relevance amid the abuse scandal that has roiled the Vatican for months, with hundreds of new cases coming to light of priests who raped and sodomized children, bishops who covered up for them and Vatican officials who turned a blind eye.

It's unclear whether the new set of norms will include any reference to civil reporting requirements.

The norms concern the canonical procedures for dealing with abusive priests, with penalties as severe as being dismissed from the clerical state.

Separately, the Vatican issued informal guidelines earlier this year saying bishops should follow civil reporting laws in terms of reporting abuse to police.

It's unclear whether the new set of norms will include any reference to civil reporting requirements. Since such requirements vary from country to country, it would be difficult to make reference to them in a document that is canonically binding on the church around the globe, noted the Rev. Davide Cito, a canon lawyer and consultant at the Congregation.

The norms now in place have



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THE WALL STREET JOURNAL.

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JULY 7, 2010

Pope Revises Sex-Abuse Rules

By STACY MEICHTRY



European Pressphoto Agency

Pope Benedict delivered a Mass marking the end of the Year for Priests at the Vatican in June, amid a scandal over sex-abuse allegations.

VATICAN CITY—Pope Benedict XVI has tightened the Vatican laws to streamline its handling of sexual-abuse cases world-wide and potentially hold more clerics accused of abuse accountable, people familiar with the matter said. The move marks the most concrete measures Pope Benedict has taken to address the crisis that rocked his papacy this year.

Pope Benedict recently approved revisions to a papal decree, or *motu proprio*, issued by his predecessor Pope John Paul II in 2001, establishing Vatican procedures for prosecuting and disciplining priests accused of sexual abuse, the people said.

The revisions will double the statute of limitations on accused priests to 20 years from the alleged victim's 18th birthday, the people said.

In addition, the revised decree will broaden the

legal authority to Vatican officials to prosecute priests accused of abuse, the people said. The Vatican is expected to announce the revisions "within the next two weeks," one person said.

The measures, which were reported Tuesday on the website of the National Catholic Reporter, represent the first legal shift to take place at the Vatican since the outbreak of abuse reports across Europe earlier this year.

The extension of the Vatican's statute of limitations cuts to the core of one of the biggest obstacles to prosecuting sexually abusive priests because many victims take decades to come to terms with sexual abuse before reporting it to civil and church authorities. As a result, many abusive priests go unpunished by civil and church courts because the statute of limitations kicks in.

In some cases, the Vatican's disciplinary office, the Congregation for the Doctrine of the Faith, has waived the statute of limitations. Doubling the statute of limitations for all cases under church law, however, could encourage more victims to report abuse. The move could also renew cases that were dismissed because the statute of limitations had expired, canon lawyers say.

"The church will be able to be active in cases in which civil courts can't," said Monica-Elena Herghelegiu, a canon lawyer and senior lecturer at Germany's University of Tübingen, where the pope

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was once a professor.

For more than a decade, Pope Benedict has been involved in shaping the Vatican's response to cases of sexual abuse as both pope and the head of the Congregation for the Doctrine of the Faith.

In 2001, the pope, then known as Cardinal Joseph Ratzinger, helped draft John Paul II's *motu proprio* and issued an accompanying letter explaining the rules to bishops world-wide. The decree instructed bishops to report all cases of sex abuse solicited by priests through confession. It also clarified church penalties for sexual abuse, such as stripping a priest of his ministry.

Some church officials and canon lawyers, however, complained the decree was too narrow in defining what kinds of cases fell under the Vatican's jurisdiction. In 2003, then-Cardinal Ratzinger introduced a set of practices, known as the "special faculties," that gave the Congregation for the Doctrine of the Faith a broader mandate to prosecute priests accused of sexual abuse.

Under the special faculties, for example, the congregation could skip the costly and time-consuming step of a canonical trial when cases were deemed "grave and clear" and proceed directly to disciplinary measures. In principle, the revised *motu proprio* will give those practices the formal authority of a papal decree under church law, the people said.

Barbara Dorris, outreach director for the Survivors Network for those Abused by Priests, said the extension of the statute of limitations was "a good step forward."

She added, however, that the revision will still leave many cases unaddressed. "The average age of anyone who was abused as a child begins to deal with their abuse in a meaningful way is their mid-late 40s. Why do they need a statute of limitations on this crime at all?" she said.

The revisions have been in the works for years, one person said. However, the explosion of sex-abuse cases across Europe, including in the pope's native Germany, has turned up pressure on the

Vatican to act.

In one particularly sensitive case, the pope came under scrutiny for his handling of a priest known to church officials as an abuser in the early 1980s, when the pope was archbishop of Munich.

The then-Archbishop Ratzinger approved a decision to transfer the priest to the Munich archdiocese to undergo therapy, but the cleric was returned to pastoral work. The priest was convicted in 1986 of sexually abusing minors.

During a recent visit to Malta, Pope Benedict met with victims of abuse and pledged to take measures aimed at fighting sexual abuse.

Write to Stacy Meichtry at stacy.meichtry@wsj.com

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Search News

Vatican to issue long-awaited sex abuse document

By NICOLE WINFIELD (AP) – 11 hours ago

VATICAN CITY — Pope Benedict XVI will soon issue a document outlining the church's procedures for handling clerical sex abuse cases that will gather the norms now in use and make them permanent and legally binding, a Vatican official and canon lawyer said Tuesday.

The "instruction" from the Congregation for the Doctrine of the Faith has been in the works for some time. But its impending publication has taken on new relevance amid the abuse scandal that has roiled the Vatican for months, with hundreds of new cases coming to light of priests who raped and sodomized children, bishops who covered up for them and Vatican officials who turned a blind eye.

The norms concern the canonical procedures for dealing with abusive priests, with penalties as severe as being dismissed from the clerical state. Separately, the Vatican issued informal guidelines earlier this year saying bishops should follow civil reporting laws in terms of reporting abuse to police.

It's unclear whether the new set of norms will include any reference to civil reporting requirements. Since such requirements vary from country to country, it would be difficult to make reference to them in a document that is canonically binding on the church around the globe, noted the Rev. Davide Cito, a canon lawyer and consultant at the Congregation.

The norms now in place have been modified and updated from a 2001 Vatican document and set of procedures issued by Pope John Paul II outlining how the church should handle the abuse of minors by priests.

The 2001 documents require bishops to report credible accusations of abusive priests to the Congregation, which then decides how to proceed, including through a full canonical trial. In 2003 — a year after the U.S. abuse scandal exploded — the norms were amended to speed up administrative penalties against abusive clerics where the evidence them is overwhelming, among other things.

But those 2003 modifications were ad hoc and temporary in nature and had to be reconfirmed, for example, by Benedict after John Paul died in 2005. By gathering them together and including them now in an official, binding document, they become permanent church law.

As a result, the new instruction is expected to contain little that goes beyond what is currently the practice of the Congregation, Cito said. The instruction, for example, is expected to formally extend the 10-year statute of limitations for abuse cases that was imposed for the first time in the 2001 procedures. But those limits have been waived on a case-by-case basis already since 2002 since the 10-year limit was deemed too short.

In addition, downloading child pornography from the Internet is expected to be included as a "grave" canonical crime for the first time in a Vatican instruction. That said, the Congregation's sex crimes prosecutor, Monsignor Charles Scicluna, has written that the Congregation for several years has considered it such in practice.

A Vatican official declined to give a date for the instruction's publication, but said it was expected in the near future. Cito said he understood the document had already been signed by Benedict, who on Wednesday moves to the papal summer residence at Castel Gandolfo for the rest of the summer.

Amid the current scandal, the 2001 norms have been held up by Vatican officials as evidence of Benedict's get-tough attitude to pedophile priests, since he was prefect of the Congregation at the time and signed a letter accompanying the documents to bishops around the world. The former Cardinal Joseph Ratzinger, though, was known to be far more concerned with matters of faith than technical canonical procedures.

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AP Associated Press



Pope Benedict XVI, flanked by his secretary Monsignor Georg Gaenswein, delivers his blessing during a weekly general audience he held in St. Peter's square at the Vatican, Wednesday, June 30, 2010. The Vatican announced on Wednesday that Quebec Cardinal Marc Ouellet was named chief to its powerful Congregation for Bishops, which vets bishop appointments around the world, and that Italian Monsignor Rino Fisichella has been tapped to head a new Vatican office to fight secularization and re-evangelize the West. (AP Photo/Pier Paolo Cito)





Guide to Understanding Basic CDF Procedures concerning Sexual Abuse Allegations

The applicable law is the Motu Proprio *Sacramentorum sanctitatis tutela* (MP SST) of 30 April 2001 together with the 1983 Code of Canon Law. This is an introductory guide which may be helpful to lay persons and non-canonists.

A: Preliminary Procedures

The local diocese investigates every allegation of sexual abuse of a minor by a cleric.

If the allegation has a semblance of truth the case is referred to the CDF. The local bishop transmits all the necessary information to the CDF and expresses his opinion on the procedures to be followed and the measures to be adopted in the short and long term.

Civil law concerning reporting of crimes to the appropriate authorities should always be followed.

During the preliminary stage and until the case is concluded, the bishop may impose precautionary measures to safeguard the community, including the victims. Indeed, the local bishop always retains power to protect children by restricting the activities of any priest in his diocese. This is part of his ordinary authority, which he is encouraged to exercise to whatever extent is necessary to assure that children do not come to harm, and this power can be exercised at the bishop's discretion before, during and after any canonical proceeding.

B: Procedures authorized by the CDF

The CDF studies the case presented by the local bishop and also asks for supplementary information where necessary.

The CDF has a number of options:

B1 Penal Processes

The CDF may authorize the local bishop to conduct a judicial penal trial before a local Church tribunal. Any appeal in such cases would eventually be lodged to a tribunal of the CDF.

The CDF may authorize the local bishop to conduct an administrative penal process before a delegate of the local bishop assisted by two assessors. The accused priest is called to respond to the accusations and to review the evidence. The accused has a right to present recourse to the CDF against a decree condemning him to a canonical penalty. The decision of the Cardinals members of the CDF is final.

Should the cleric be judged guilty, both judicial and administrative penal processes can

condemn a cleric to a number of canonical penalties, the most serious of which is dismissal from the clerical state. The question of damages can also be treated directly during these procedures.

B2 Cases referred directly to the Holy Father

In very grave cases where a civil criminal trial has found the cleric guilty of sexual abuse of minors or where the evidence is overwhelming, the CDF may choose to take the case directly to the Holy Father with the request that the Pope issue a decree of "ex officio" dismissal from the clerical state. There is no canonical remedy against such a papal decree.

The CDF also brings to the Holy Father requests by accused priests who, cognizant of their crimes, ask to be dispensed from the obligation of the priesthood and want to return to the lay state. The Holy Father grants these requests for the good of the Church ("pro bono Ecclesiae").

B3 Disciplinary Measures

In cases where the accused priest has admitted to his crimes and has accepted to live a life of prayer and penance, the CDF authorizes the local bishop to issue a decree prohibiting or restricting the public ministry of such a priest. Such decrees are imposed through a penal precept which would entail a canonical penalty for a violation of the conditions of the decree, not excluding dismissal from the clerical state. Administrative recourse to the CDF is possible against such decrees. The decision of the CDF is final.

C. Revision of MP SST

For some time the CDF has undertaken a revision of some of the articles of Motu Proprio *Sacramentorum Sanctitatis tutela*, in order to update the said Motu Proprio of 2001 in the light of special faculties granted to the CDF by Popes John Paul II and Benedict XVI. The proposed modifications under discussion will not change the above-mentioned procedures (A, B1-B3).



BBC NEWS

EUROPE

15 July 2010 Last updated at 10:23 ET

Vatican 'speeds up' abuse cases

The Vatican has issued new instructions to speed up the handling of the "most urgent" cases of sex abuse by priests, after a series of abuse scandals.

The rules contain "more rapid procedures", it said.

Priests who sexually abuse a mentally ill adult will now be treated in the same way as those who abuse minors.

The rules also extend the time in which the Church can take action against anyone who abused a minor from 10 to 20 years after a victim's 18th birthday.

The new 20-year limit will continue to be extended on a case-by-case basis, the Vatican said.

Existing Vatican guidance to bishops that they should report sexual abusers to civil authorities remain in effect.

Vatican spokesman Federico Lombardi said the rules were part of Church law and thus "exclusively concern the Church", while compliance with civil law was dealt with in guidelines published in April.

The Church's internal justice system for dealing with abuse allegations has come under attack because of claims by victims that their accusations were long ignored.

The new norms also formally rule that child pornography is a crime against Church law.

Reacting to the news, the US-based Survivors Network for those Abused by Priests (SNAP) said the new guidelines were "like attacking at an elephant with a pea-shooter when the elephant is almost out of range".

"Even if these new guidelines are obeyed, their impact on the ongoing crisis is likely to be insignificant," it said.

The new Vatican document also listed the attempted ordination of a woman as a "grave crime" to be handled by the Vatican's Congregation for the Doctrine of the Faith, just as sex abuse is.

Monsignor Charles Scicluna, the Vatican's sex crimes prosecutor, said that including the two issues in the same document was not equating them, but was done to codify the most serious canonical crimes which the Roman Catholic Church handles.

"They are grave, but on different levels," he told the Associated Press at a briefing on Thursday.



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[The Vatican's new guidelines on sexual abuse](#)
The Vatican's new guidelines on sexual abuse, which were announced on Thursday, have been widely criticized by survivors and advocates. The guidelines, which were part of a larger document on canonical crimes, were seen as a step back from previous commitments to address the crisis. The document, which was approved by the Congregation for the Doctrine of the Faith, listed the attempted ordination of a woman as a "grave crime" to be handled by the Congregation, just as sex abuse is. This was seen as a move to equate the two issues, which many felt was inappropriate. The guidelines also stated that the Congregation would handle cases of sexual abuse, which was seen as a move to centralize the process and potentially limit the role of local bishops. The document was also criticized for its lack of transparency and for not providing clear guidelines on how cases should be handled. The Vatican's response to the crisis has been widely criticized, and the new guidelines are seen as a further step in the wrong direction.

[The Vatican's new guidelines on sexual abuse](#)
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I MINA' TRENTA NA LIHESLATURAN GUÅHAN
2010 (Second) Regular Session

Bill No. 372-30 (Cor)

2010 FEB 14 11:31 AM

Introduced by:

B.J.F. Cruz



**AN ACT TO AMEND § 13201(b) OF ARTICLE 2, CHAPTER 13,
TITLE 19 OF THE GUAM CODE ANNOTATED; RELATIVE
TO REPORTING OF SUSPECTED CHILD ABUSE OR
NEGLECT BY CLERICAL PERSONNEL OF CHURCHES OR
OTHER RELIGIOUS ORGANIZATIONS.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*

finds that recent allegations of clerical sexual abuse within the Catholic Church has compelled the Vatican to issue an edict within the Congregation for the Doctrine concerning Sexual Abuse Allegations that states, "Civil law concerning reporting of crimes to the appropriate authorities should always be followed." This statement clarifies the churches intent to comply with civil reporting laws. Therefore, I Liheslatura finds that a statutory amendment is necessary to help law enforcement officials and Guam's children.

Section 2. Subsection § 13201. of Article 3, Chapter 13 of Title 19, Guam Code Annotated is hereby *amended* to read:

1 **“§ 13201. Persons Required to Report Suspected Child Abuse or**
2 **Neglect.**

3 (a) Any person who, in the course of his or her employment,
4 occupation or practice of his or her profession, comes into contact with
5 children shall report when he or she has reason to suspect on the basis of his
6 medical, professional or other training and experience that a child is an
7 abused or neglected child. No person may claim “privileged
8 communications” as a basis for his or her refusal or failure to report
9 suspected child abuse or neglect or to provide Child Protective Services or
10 the Guam Police Department with required information. Such privileges are
11 specifically abrogated with respect to reporting suspected child abuse or
12 neglect or of providing information to the agency.

13 (b) Persons required to report suspected child abuse under subsection
14 (a) include but are not limited to any licensed physician, medical examiner,
15 dentist, osteopath, optometrist, chiropractor, podiatrist, intern, registered
16 nurse, licensed practical nurse, hospital personnel engaged in the admission,
17 examination, care or treatment of persons, Christian Science practitioner,
18 Roman Catholic Archbishop, Bishop, Cleric, Pastor, Clergy, Priest, Deacon,
19 Minister, Rector, or other similar functionary or employee of a church or
20 other religious organization whose primary duties consist of teaching,
21 spreading the faith, church governance, supervision of a religious order, or
22 supervision or participation in religious ritual and worship, school
23 administrator, school teacher, school nurses, school counselor, social
24 services worker, day care center worker or any other child care or foster care
25 worker, mental health professional, peace officer or law enforcement
26 official.”

1 (c) Any commercial film and photographic print processor who has
2 knowledge of or observes, within the scope of his or her professional
3 capacity or employment, any film, photograph, video tape, negative or slide
4 depicting a child under the age of 18 engaged in an act of sexual conduct
5 shall report such instances of suspected child abuse to Child Protective
6 Services immediately or as soon as practically possible by telephone and
7 shall prepare and send a written report of it with a copy of the film,
8 photograph, video tape, negative or slide attached within 48 hours of
9 receiving the information concerning the incident. As used in this section,
10 sexual conduct means any of the following:

11 (1) Sexual intercourse, including genital-genital, oral-genital, anal-
12 genital or oral-anal, whether between persons of the same or opposite sex or
13 between humans and animals;

14 (2) Penetration of the vagina or rectum by any object;

15 (3) Masturbation, for the purpose of sexual stimulation or the viewer;

16 (4) Sadomasochistic abuse for the purpose of sexual stimulation of the
17 viewer; or

18 (5) Exhibition of the genitals, pubic or rectal areas of any person for
19 the purpose of sexual stimulation to the viewer.”