

**MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2014 (SECOND) Regular Session**


Bill No. 272-32(COR)

Introduced by:

Brant T. McCreddie 

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**AN ACT TO ADD A NEW §80.37.6 TO CHAPTER 80,  
TITLE 9 GUAM CODE ANNOTATED RELATIVE TO  
ENHANCED SENTENCES FOR VULNERABLE  
VICTIMS, WHICH MAY BE CITED AS THE  
“VULNERABLE VICTIMS ACT OF 2014”.**

2014 FEB 12 AM 9:55  


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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that  
3 crimes committed against any individual, no matter how large or how small, is not  
4 acceptable. However, certain groups of people are more vulnerable to falling victim to  
5 crime. It is impendent on the government to ensure that these “vulnerable victims” are  
6 given the utmost protection and recourse under the law.

7 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish a vulnerable  
8 victims sentencing enhancement for individuals who commit crimes against especially  
9 vulnerable individuals in our society.

10 **Section 2.** §80.37.6 of Chapter 80, Title 9 Guam Code Annotated is hereby  
11 *added* to read:

12 **“§80.37.6. Vulnerable Victim Sentencing Enhancement.**

13 (a) Whoever commits or attempts to commit upon a vulnerable victim, a  
14 violent felony as defined in 9 G.C.A. §80.70, or Theft as a Second Degree or  
15 Third Degree Felony under 9 G.C.A. §43.15, §43.20, §43.30, §43.35, §43.40,

1 §43.45, §43.50, §43.55, or §43.60, or crimes of forgery or fraudulent practices  
2 under 9 G.C.A. §46.10, §46.15, §46.20, §46.25, § 46.35, §46.50, §46.75, or  
3 §46.80, shall, in addition to the sentence imposed for the commission of such  
4 felony be imprisoned for a term not less than five (5) years nor more than  
5 twenty-five (25) years, or shall, in addition to the sentence imposed for the  
6 commission of a misdemeanor or petty misdemeanor be imprisoned for a term  
7 not less than sixty (60) days nor more than one (1) year.

8 (b) A sentence imposed under subsection (a) of this section for a felony  
9 shall include a special parole term of not less than three (3) years nor more than  
10 five (5) years in addition to the term of imprisonment. No person convicted and  
11 sentenced under this section for a felony shall be eligible for parole or probation  
12 until he serves at least five (5) years in prison, or no person convicted and  
13 sentenced under this section for a misdemeanor or petty misdemeanor shall be  
14 eligible for probation until he serves at least sixty (60) days in jail or prison.

15 (c) A vulnerable victim is defined as the following:

16 (1) An elderly person or senior citizen who is at fifty-five (55)  
17 years or older at the time of the crime committed upon him or her.

18 (2) A child who is thirteen (13) years or younger at the time of the  
19 crime committed upon him or her.

20 (3) A tourist or visitor is an individual (i) who is a citizen and  
21 resident of a country other than the United States or its territories and  
22 visiting Guam with a round-trip airline ticket for a duration of no more  
23 than forty five (45) days, or (ii) who is citizen or national or permanent  
24 resident of the United States but is not a resident of Guam and is visiting  
25 Guam with a round-trip airline ticket for a duration of no more than forty  
26 five (45) days.

1                   (4) An individual who at the time of the crime committed upon  
2                   him or her has a physical or mental disability or disabilities as defined in  
3                   a provision of local or federal law, or as certified by a physician or  
4                   mental health professional.”

5           **Section 3. Effective Date.** This act shall be effective immediately upon  
6 enactment.

7           **Section 4. Severability.** *If* any provision of this Law or its application to any  
8 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
9 *not* affect other provisions or applications of this Law which can be given effect  
10 without the invalid provisions or application, and to this end the provisions of this  
11 Law are severable.