

I Mina'Trentai Dos Na Liheslaturan Guahan

Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
216-32 (LS)	Judith T. Won Pat, Ed.D., T.R. Muña Barnes, Aline A. Yamashita, Ph.D.	AN ACT RELATIVE TO ENACTING PRINCIPLES OF BALANCED AND RESTORATIVE JUSTICE IN THE JUVENILE CRIMINAL JUSTICE SYSTEM BETWEEN THE VICTIM AND OFFENDER	10/31/13 9:51a.m.	10/31/13	Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations			



COMMITTEE ON RULES

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October 31, 2013

MEMORANDUM

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: **Senator Rory J. Respicio** 
Majority Leader & Rules Chair

Subject: **Referral of Bill No. 216-32(LS)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 216-32(LS)**.

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 members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!


Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013 (FIRST) Regular Session

Bill No. 216-32 (LS)

Introduced by:

Judith T. Won Pat, Ed.D. 

Tina R. Muna Barnes 

Aline A. Yamashita, Ph.D. 

**AN ACT RELATIVE TO ENACTING PRINCIPLES
OF BALANCED AND RESTORATIVE JUSTICE IN
THE JUVENILE CRIMINAL JUSTICE SYSTEM
BETWEEN THE VICTIM AND OFFENDER**

2013 OCT 31 AM 9:51 

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan* finds that it is the policy of this territory that principles of Balanced and Restorative Justice be included in shaping how the juvenile criminal justice system responds to persons charged with or convicted of criminal offenses. The policy goal is a community response to a juvenile's wrongdoing at its earliest onset, and a type and intensity of sanction tailored to each instance of wrongdoing.

Section 2. Balanced and Restorative Justice Objectives.

(a) To resolve conflicts and disputes by means of a non-adversarial community process.

(b) To repair damage caused by criminal acts to communities in which they occur, and to address wrongs inflicted on individuals victims.

1 (c) To reduce the risk of an offender committing a more serious crime in the
2 future, that would require a more intensive and more costly sanction, such as
3 incarceration.

4 **Section 3. Implementation.** Judicial and law enforcement officials shall
5 develop and employ restorative justice approaches whenever feasible and
6 responsive to specific criminal acts involving juveniles not involving serious
7 crimes against persons or property, crimes involving criminal sexual conduct or
8 serious family violence. It is the further intent of the Legislature that restorative
9 justice programs be designed to encourage participation from the community,
10 including victims when they so chose, and judicial and law enforcement officials in
11 holding the offender accountable for damage caused to communities and victims,
12 and in restoring offenders to the law-abiding community.

13 **Section 4. Victim and Community Involvement in Sentencing.** A court,
14 when considering the sentence to be imposed against a juvenile for an offense
15 other than a crime committed under Criminal Homicide, Sexual Offenses or
16 Family Violence may permit the victim and the offender to submit a sentence for
17 the court's review based upon a negotiated agreement between the victim and the
18 offender, or between the offender and the community if there is no victim. The
19 court may, with the consent of the victim and offender, impose the sentence that
20 has been determined by the negotiated agreement if the sentence accomplishes the
21 goals of restoring the victim and the community and rehabilitation of the offender.