

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
272-32 (COR)	Brant T. McCreadie	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".	2/12/14 9:55 a.m.	02/12/14	Committee on the Guam U. S. Military Relocation, Homeland Security, Veteran's Affairs, and Judiciary			



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

February 12, 2014

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

MEMORANDUM

Senator
Vicente (Ben) C. Pangelinan
Member

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

Attorney Therese M. Terlaje
Legislative Legal Counsel

Speaker
Judith T.P. Won Pat, Ed.D.
Member

From: **Vice Speaker Benjamin J.F. Cruz**
Acting Chairperson of the Committee on Rules

Senator
Dennis G. Rodriguez, Jr.
Member

Subject: **Referral of Bill Nos. 272-32(COR) through 274-32(COR)**

Vice-Speaker
Benjamin J.F. Cruz
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 272-32(COR) through 274-32(COR)**.

Legislative Secretary
Tina Rose Muña Barnes
Member

Please ensure that the subject bills are 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*.

Senator
Frank Blas Aguon, Jr.
Member

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

Senator
Michael F.Q. San Nicolas
Member

Si Yu'os Ma'åse!

Senator
V. Anthony Ada
Member
MINORITY LEADER

Attachment

Senator
Aline Yamashita
Member

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

Bill No. 272-32(COR)

Introduced by:

Brant T. McCreddie



**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


BE IT ENACTED BY THE PEOPLE OF GUAM:

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

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

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

“§80.37.6. Vulnerable Victim Sentencing Enhancement.

(a) Whoever commits or attempts to commit upon a vulnerable victim, a violent felony as defined in 9 G.C.A. §80.70, or Theft as a Second Degree or 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.