

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
8-36 (COR) As amended by the Committee on Health, Land, Justice and Culture; and further amended on the Floor	V. Anthony Ada Frank Blas Jr. Telo T Taitague Christopher M. Dueñas James C. Moylan Joanne Brown	AN ACT TO ADD A NEW § 80.39.2(d) OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO EXCLUDING INDIVIDUALS CONVICTED OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT FROM THE SENTENCING REDUCTIONS OF THE JUSTICE SAFETY VALVE ACT.	1/4/21 3:29 p.m.	1/13/21	Committee on Health, Land, Justice, and Culture	2/25/21 9:00 a.m.	3/12/21 2:08 p.m. As amended by the Committee on Health, Land, Justice and Culture	Request: 1/13/21 Waiver: 1/19/21	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	3/19/21	AN ACT TO ADD A NEW § 80.39.2(d) OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO EXCLUDING INDIVIDUALS CONVICTED OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT FROM THE SENTENCING REDUCTIONS OF THE JUSTICE SAFETY VALVE ACT.	3/26/21	3/29/21	4/9/21	36-17	4/9/21	Received: 4/9/21 Mess and Comm. Doc. No. 36GL-21-0420	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

April 9, 2021

HONORABLE THERESE M. TERLAJE

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

RE: BILL NO. 8-36 (COR) – An Act to *Add* a New § 80.39.2(d) of Article 2, Chapter 80, Title 9, Guam Code Annotated, Relative to Excluding Individuals Convicted of First or Second Degree Criminal Sexual Conduct from the Sentencing Reductions of the Justice Safety Valve Act

Buenas yan Hafa Adai Madame Speaker:

The Justice Safety Valve Act was passed in 2013 in order to improve the justice system by providing the courts more discretion in sentencing convicted criminals. In the past, the introduction of novel mandatory minimum sentences around the country caused more harm than good, hindering rehabilitation of individuals convicted, as well as their transition back into society. Judges were given discretion to make sentencing decisions based on the unique facts before them. Although discretion of the courts is generally a strength, not a weakness, and although I have full faith in our court's ability to fairly apply such discretion, I agree with *I Liheslaturan Guahan*, that there is sufficient basis to withhold the availability of such discretion for individuals convicted of first or second degree criminal sexual conduct.

First and second degree criminal sexual conduct are crimes characterized by the particular vulnerabilities of the victims or the extreme violence or other circumstances involved in the commission of the crime. Bill No. 8-36, now known as *Public Law No. 36-17*, safeguards against the possibility that offenders convicted of these particularly heinous crimes will return to our community and live among us before having served the full sentence contemplated under the law. The sentences imposed on individuals convicted of these crimes are severe by design because the crimes themselves are severe, and although restricting the availability of sentencing reduction based on the specific circumstances of a particular defendant may appear to hamper the court's ability to customize criminal penalties based on the cases before it, I believe it is a fair and

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To: Speaker Terlaje
Fr: Governor of Guam
Date: April 9, 2021
Re: Bill No. 8-36 (COR) *nka P.L. 36-17*

Page 2 of 2

reasonable measure to limit such discretion for this particular class of crimes, given the grave impact such crimes have on both victims and the community at large.

Senseremente,



LOURDES A. LEON GUERRERO

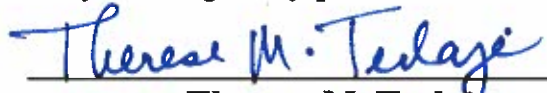
Maga'hågan Guåhan
Governor of Guam

Enclosure(s): Bill No. 8-36 (COR) *nka P.L. 36-17*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'låhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 8-36 (COR), "AN ACT TO ADD A NEW § 80.39.2(d) OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO EXCLUDING INDIVIDUALS CONVICTED OF FIRST OR SECOND DEGREE CRIMINAL SEXUAL CONDUCT FROM THE SENTENCING REDUCTIONS OF THE JUSTICE SAFETY VALVE ACT,"** was on the 26th day of March 2021, duly and regularly passed.



Therese M. Terlaje
Speaker

Attested:



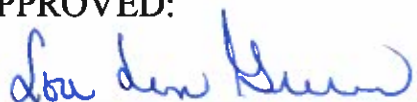
Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 29th day of March,
2021, at 5:14 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 4/9/2021

Public Law No. 36-17

2021-13800
RCUD AT CENTRAL FILES
MAR 29 '21 PM5:14

Elaine Tajalle

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

Bill No. 8-36 (COR)

As amended by the Committee on Health,
Land, Justice and Culture; and further amended on the Floor.

Introduced by:

V. Anthony Ada
Frank Blas Jr.
Telo T Taitague
Christopher M. Dueñas
James C. Moylan
Joanne Brown
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Telo T. Taitague
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO ADD A NEW § 80.39.2(d) OF ARTICLE 2,
CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED,
RELATIVE TO EXCLUDING INDIVIDUALS
CONVICTED OF FIRST OR SECOND DEGREE
CRIMINAL SEXUAL CONDUCT FROM THE
SENTENCING REDUCTIONS OF THE JUSTICE
SAFETY VALVE ACT.**

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

2 **Section 1.** A new § 80.39.2(d) to Article 2 of Chapter 80, Title 9, Guam
3 Code Annotated, is *added* to read:

4 “(d) the individual was convicted of criminal sexual conduct in the
5 first or second degree pursuant to 9 GCA §§ 25.15 or 25.20.”

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

April 9, 2021

HONORABLE THERESE M. TERLAJE

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

Doc Type: 366L-21-0420
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

04 09 2021

Time: 4:11 pm
Received: [Signature]

RE: BILL NO. 8-36 (COR) – An Act to *Add* a New § 80.39.2(d) of Article 2, Chapter 80, Title 9, Guam Code Annotated, Relative to Excluding Individuals Convicted of First or Second Degree Criminal Sexual Conduct from the Sentencing Reductions of the Justice Safety Valve Act

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COMMITTEE ON RULES

RECEIVED:

April 9, 2021

5:27 P.M.

[Signature]

RICARDO J. BORDALLO GOVERNOR'S COMPLEX
513 W. Marine Corps Drive Hagåtña, Guam 96910
governor.guam.gov | (671) 472-8931

Doc. No. 36GL-21-0420.*

To: Speaker Terlaje
Fr: Governor of Guam
Date: April 9, 2021
Re: Bill No. 8-36 (COR) *nka P.L. 36-17*

Page 2 of 2

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LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

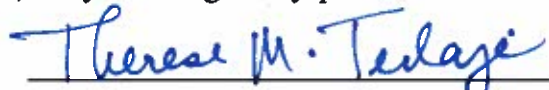
Governor of Guam

Enclosure(s): Bill No. 8-36 (COR) *nka P.L. 36-17*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'låhen Guåhan*
Compiler of Laws

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2021 (FIRST) Regular Session
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Therese M. Terlaje
Speaker

Attested:



Amanda L. Shelton
Legislative Secretary

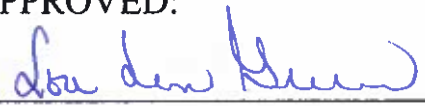
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This Act was received by *I Maga'hågan Guåhan* this 29th day of March,
2021, at 5:14 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 4/9/2021

Public Law No. 36-17

2021-13300
RCUD AT CENTRAL FILES
MAR 29 '21 PM 5:14

Elaine Tajalle

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

Bill No. 8-36 (COR)

As amended by the Committee on Health,
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