

I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
183-37 (COR) As amended on the Floor	Chris Barnett Jesse A. Lujan Christopher M. Dueñas Joanne M. Brown Telo T. Taitague Dwayne T.D. San Nicolas Joe S. San Agustin Sabina Flores Perez Amanda L. Shelton Roy A. B. Quinata Thomas J. Fisher William A. Parkinson	AN ACT TO <i>AMEND</i> §§ 25.15(b) AND 25.20(b) TO CHAPTER 25 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ENACTING HIGHER MINIMUM SENTENCING REQUIREMENTS FOR INDIVIDUALS CONVICTED OF FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT INVOLVING VICTIMS UNDER 12 YEARS OF AGE.	10/2/23 12:17 p.m.	10/6/23	Committee on Health, Land, Justice, and Culture	Request: 10/6/23 10/11/23	4/1/24 8:30 a.m.	5/15/24 3:25 p.m.	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	5/28/24	AN ACT TO <i>AMEND</i> §§ 25.15(b) AND 25.20(b) OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ENACTING HIGHER MINIMUM SENTENCING REQUIREMENTS FOR INDIVIDUALS CONVICTED OF FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT INVOLVING VICTIMS UNDER TWELVE (12) YEARS OF AGE.	5/31/24	5/31/24	6/12/24	37-98	6/5/24	Received: 6/5/24 Messages and Communications Doc. No. 37GL-24-2170	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: officeofsenatorshelton@guamlegislature.org

June 5, 2024

THE HON. AMANDA SHELTON, *Acting Speaker*
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Doc Type: 37GL-24-2170
OFFICE OF THE SPEAKER
THERESE M. TERLAJE
JUN 06 2024
Time: 8:30am
Received: [Signature]

Re: Bill No. 183-37 (COR) – AN ACT TO AMEND §§ 25.15(b) AND 25.20(b) OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ENACTING HIGHER MINIMUM SENTENCING REQUIREMENTS FOR INDIVIDUALS CONVICTED OF FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT INVOLVING VICTIMS UNDER TWELVE (12) YEARS OF AGE.

Håfa Adai Acting Speaker,

Bill No. 183-37 (COR) raises the mandatory minimum sentence of incarceration for individuals convicted of First and Second Degree Criminal Sexual Conduct crimes committed against victims under the age of twelve (12).

Bill 183 is modeled after Jessica's Law, which was first enacted in Florida in 2005 and has since been enacted in forty-six (46) states. The Bill raises the mandatory minimum sentence of incarceration for a first-degree Criminal Sexual Conduct conviction from fifteen (15) years to a mandatory minimum of twenty-five (25) years if the victim is under twelve (12) years of age. The maximum sentence for the crime remains life without parole.

The minimum mandatory sentence for a conviction for second-degree Criminal Sexual Conduct is raised from five (5) years to ten (10) years if the victim is under the age of twelve (12). The maximum sentence is raised from fifteen (15) years to twenty (20) years if the victim is under the age of twelve (12).

The bill also requires a special parole condition of lifetime monitoring by the Parole Office for any individual convicted of Criminal Sexual Conduct in either the first or second degree, who is ultimately released after serving their sentence of incarceration.

RECEIVED
6/10/24 8:30am
BY [Signature]

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

received
6/5/24 6:25pm
Legislative Secretary
Jason T. [Signature]


To: The Hon. Amanda Shelton, Acting Speaker
Fr: The Hon. Lourdes A. Leon Guerrero, Governor of Guam
Date: June 5, 2024
Re: Bill No. 183-37 (COR)

Page 2 of 2

In keeping with the precedent set by Jessica's Law, this bill takes a crucial step forward in protecting the safety of the children of Guam, and ensuring that justice is adequately provided to the vulnerable victims of sexual conduct crimes.

For this reason, I am signing Bill No. 183-37 (COR) into law as ***Public Law No. 37-98***.

Senseramente,



LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam


Enclosure(s): Bill No. 183-37 (COR) nka P.L. 37-98

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws


I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

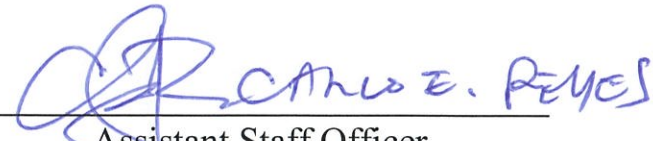
This is to certify that **Bill No. 183-37 (COR)**, “AN ACT TO *AMEND* §§ 25.15(b) AND 25.20(b) OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ENACTING HIGHER MINIMUM SENTENCING REQUIREMENTS FOR INDIVIDUALS CONVICTED OF FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT INVOLVING VICTIMS UNDER TWELVE (12) YEARS OF AGE,” was on the 31st day of May 2024, duly and regularly passed.

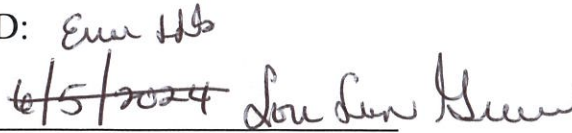

Therese M. Terlaje
Speaker

Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 31st day of May,
2024, at 5:22 o'clock P.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED: 
Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 6/5/2024

Public Law No. 37-98

2024-21723
OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: _____
Date: 6-3-24 Time: 8:12 AM

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 183-37 (COR)

As amended on the Floor.

Introduced by:

Chris Barnett
Jesse A. Lujan
Christopher M. Dueñas
Joanne M. Brown
Telo T. Taitague
Dwayne T.D. San Nicolas
Joe S. San Agustin
Sabina Flores Perez
Amanda L. Shelton
Roy A. B. Quinata
Thomas J. Fisher
William A. Parkinson
Frank Blas, Jr.
Tina Rose Mufia Barnes
Therese M. Terlaje

**AN ACT TO AMEND §§ 25.15(b) AND 25.20(b) OF
CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED,
RELATIVE TO ENACTING HIGHER MINIMUM
SENTENCING REQUIREMENTS FOR INDIVIDUALS
CONVICTED OF FIRST AND SECOND DEGREE
CRIMINAL SEXUAL CONDUCT INVOLVING VICTIMS
UNDER TWELVE (12) YEARS OF AGE.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds
3 that forty-six (46) states, thus far, have passed “*Jessica’s Law*,” which was named
4 after Jessica Lunsford, the nine (9)-year-old girl who was abducted, raped, and
5 murdered in Florida in 2005 by a twice-convicted sex offender.

1 According to the Offender Watch Initiative’s website:

2 “Jessica’s Law was named after nine-year-old Jessica Lunsford who was
3 abducted and killed on February 27, 2005.

4 Jessica was asleep when John Couey came into her home through an unlocked
5 door, woke Jessica up, and told her to follow him out of her house. She complied
6 and was taken to his trailer, where he violated and killed her.

7 Jessica was found less than a month later on March 19, 2005 by police who
8 found her remains inside a garbage bag in a hole in the ground covered by leaves.
9 Couey was found guilty of first-degree murder, kidnapping, and capital sexual
10 battery, but died on September 30, 2009 before he could carry out his sentence.

11 After Jessica’s death, her father, Mark Lunsford, pushed for new legislation
12 to strengthen regulations on tracking released sexual offenders. Jessica’s Law was
13 passed in Florida in 2005. The act mandates a minimum sentence of 25 years and a
14 maximum of life in prison for first-time child sex offenders. It also requires tighter
15 restrictions on sexual offenders, like wearing electronic tracking devices.”

16 Jessica’s Law mandates a minimum twenty-five (25)-year prison sentence and
17 lifetime electronic monitoring for adults convicted of lewd and lascivious acts
18 against a child under the age of twelve (12).

19 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish minimum
20 incarceration penalties of twenty-five (25) years for those convicted of First (1st)
21 Degree Criminal Sexual Conduct and ten (10) years for those convicted of Second
22 (2nd) Degree Criminal Sexual Conduct of a child under the age of twelve (12). It is
23 also the intent of *I Liheslaturan Guåhan* to permit the courts to impose parole for
24 offenders convicted of First (1st) and Second (2nd) Degree Criminal Sexual Conduct
25 for the rest of an offender’s lifetime following release from prison.

26 **Section 2.** § 25.15(b) of Chapter 25, Title 9, Guam Code Annotated, is
27 hereby *amended* to read as follows:

1 “(b) Criminal sexual conduct in the first degree is a felony in the first
2 degree. Any person convicted of criminal sexual conduct under § 25.15(a)
3 shall be sentenced to a minimum of fifteen (15) years imprisonment, and may
4 be sentenced to a maximum of life imprisonment without the possibility of
5 parole if the victim is twelve (12) years of age or older at the time that the
6 crime was committed; or a minimum of twenty-five (25) years imprisonment,
7 and may be sentenced to a maximum of life imprisonment without the
8 possibility of parole if the victim is under the age of twelve (12) years old at
9 the time that the crime was committed. The term imposed shall not be
10 suspended, as indicated in § 80.60 of Article 4, Chapter 80, Title 9 GCA; nor
11 probation be imposed in lieu of said minimum term; nor shall work release or
12 educational programs outside the confines of prison be granted; nor shall the
13 provisions under § 80.31 of Article 2, Chapter 80, Title 9 GCA apply. Any
14 such sentence shall include a special parole term of not less than life with
15 mandatory lifetime monitoring by the Parole Office, in addition to such time
16 of imprisonment.”

17 **Section 3.** § 25.20(b) of Chapter 25, Title 9, Guam Code Annotated, is
18 hereby *amended* to read as follows:

19 (b) Criminal sexual conduct in the second degree is a felony in the
20 first degree. Any person convicted of criminal sexual conduct under § 25.20(a)
21 shall be sentenced to a minimum of five (5) years to a maximum of fifteen
22 (15) years imprisonment without the possibility of parole if the victim is
23 twelve (12) years of age or older at the time that the crime was committed; or
24 a minimum of ten (10) years to a maximum of twenty (20) years imprisonment
25 if the victim is under the age of twelve (12) years old at the time that the crime
26 was committed. The term imposed shall not be suspended, as indicated in §
27 80.60 of Article 4, Chapter 80, Title 9 GCA; nor probation be imposed in lieu

1 of said minimum term; nor shall work release or educational programs outside
2 the confines of prison be granted; nor shall parole be granted; nor shall the
3 provisions under § 80.31 of Article 2, Chapter 80, Title 9 GCA apply. Any
4 such sentence shall include a special parole term of not less than life with
5 mandatory lifetime monitoring by the Parole Office, in addition to such time
6 of imprisonment.”