

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

Bill No. 183-37 (COR) As amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building May 31, 2024
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NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator Chris Barnett	✓					
Senator Frank Blas, Jr.	✓					
Senator Joanne Brown	✓					
Senator Christopher M. Dueñas	✓					
Senator Thomas J. Fisher	✓					
Senator Jesse A. Lujan	✓					
Vice Speaker Tina Rose Muña Barnes	✓					
Senator William A. Parkinson	✓					
Senator Sabina Flores Perez	✓					
Senator Roy A. B. Quinata	✓					
Senator Joe S. San Agustin	✓					
Senator Dwayne T. D. San Nicolas	✓					
Senator Amanda L. Shelton	✓					
Senator Telo T. Taitague	✓					
Speaker Therese M. Terlaje	✓					

TOTAL	15	0	0	0	0	0
	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused

CERTIFIED TRUE AND CORRECT:



 JOAQUIN P. TAITAGUE
 Clerk of the Legislature

I = Pass

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

**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.

6 According to the Offender Watch Initiative’s website:

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

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

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

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

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

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

25 **Section 2.** § 25.15(b) of Chapter 25, Title 9, Guam Code Annotated, is
26 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.”