

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

March 9, 2011

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 33-31 (COR) "AN ACT TO ADD A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO REPEALING THE STATUTE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF MAJORITY", which I signed into law on March 9, 2011 as Public Law 31-06.

Senseramente,

EDDIE BAZA CALVO

Attachment: copy of Bill

31-11-315

3-10-11
3:40 PM
[Signature]

2011 MAR 11 AM 7:35 - [Signature]

**I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session**

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 33-31 (COR)**, "AN ACT TO *ADD* A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO REPEALING THE STATUTE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF MAJORITY", was on the 24th day of February, 2011, duly and regularly passed.



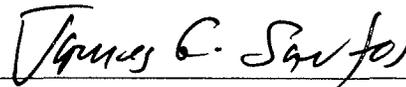
**Judith T. Won Pat, Ed.D.
Speaker**

Attested:



**Tina Rose Muña Barnes
Legislative Secretary**

This Act was received by *I Maga'lahaen Guåhan* this 25th day of Feb, 2011, at
7:14 o'clock PM.M.



Assistant Staff Officer
Maga'lahaen's Office

Police Sgt 1 ESS

APPROVED:



EDWARD J.B. CALVO

I Maga'lahaen Guåhan

MAR 09 2011

Date: _____

Public Law No. 31-06

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 33-31 (COR)

As amended on the Floor.

Introduced by:

B. J.F. Cruz
R. J. Respicio
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
Chris M. Duenas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §10.16 TO CHAPTER 10 OF
TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO
REPEALING THE STATUTE OF LIMITATION FOR
THE PROSECUTION OF A SEX CRIME INVOLVING A
VICTIM WHO IS UNDER THE AGE OF MAJORITY.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that child sexual abuse survivors often are disabled from revealing abuse at the
4 time they suffer it and for many years thereafter. Furthermore, the expiration of
5 applicable statutes of limitation has the effect of barring both civil claims and
6 criminal prosecution of the perpetrators.

1 *I Liheslaturan Guåhan* finds that several state legislatures in the country
2 have already passed or are attempting to enact legislation to open a window for
3 civil claims against such perpetrators. However, as long as the applicable statutes
4 of limitation for criminal prosecution remain in place, there will be a perpetual
5 need to introduce such window legislation in the future.

6 *I Liheslaturan Guåhan* intends to address this by abolishing the statute of
7 limitations for the criminal prosecution of perpetrators for sex crimes against
8 children altogether, thereby serving to protect children from sex crimes and the
9 kind of suffering already being endured by victims who are denied justice and
10 relief under the current legal system.

11 **Section 2.** A new §10.16 is hereby *added* to Chapter 10 of Title 8, Guam
12 Code Annotated to read:

13 “§10.16. **No Limitation on Sex Crimes Committed Against**
14 **Victims Under the Age of Majority.** *If* the offense is a violation of Chapter
15 25 of Title 9, Guam Code Annotated, and the victim was under the age of
16 majority or the victim’s mental comprehension and capacity was below the
17 age of adolescence at the time the offense was committed, a prosecution of
18 the offense may be commenced at any time. This Section applies to any
19 such offense *except* an offense the prosecution of which would have been
20 *barred* by §10.15 of this Chapter on or before enactment of this Act.”

21 **Section 3. Effective Date.** This Act *shall* be effective upon enactment
22 into law.

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

2011 (FIRST) Regular Session

Date: 2/24/11

VOTING SHEET

Bill No. 33-31 (COR)

Resolution No. _____

Question: _____

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:

Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence



Thirty-First
Guam Legislature

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

February 16, 2011

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'Trentai Uno na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio,
Chairman, Committee on Rules

RE : Committee Report – Bill No. 33-31 (COR).

2011 FEB 21 AM 9:00
RC

The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **BILL NO. 33-31 (COR) "AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW § 10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED,"** hereby reports out with the recommendation **TO PASS**.

Committee Votes are as follows:

<u>11</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,

ADOLPHO B. PALACIOS, MPA, BS/CJA
Chairman

Attachments

Committee Members:

- Senator Thomas C. Ada
Vice Chairman
- Speaker Judith T. Won Pat, Ph.D.
Member
- Senator Tina R. Muna-Barnes
Member
- Senator Judith P. Guthertz, DPA
Member
- Senator Rory J. Respicio
Member
- Senator Dennis G. Rodriguez, Jr.
Member
- Senator V. Anthony Ada
Member
- Senator Christopher M. Duenas
Member
- Senator Mana Silva-Tajerón
Member
- Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Membership:*

- Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs
- Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform
- Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources
- Member, Committee on
Education and Public Libraries
- Member, Committee on Guam
Military Buildup and Homeland
Security
- Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

Office/Mailing Address: 155 Hesler Place, Hagåtña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

**COMMITTEE REPORT
ON
BILL NO. 33-31 (COR)**
By Vice Speaker Benjamin J.F. Cruz

“AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED.”



Thirty-First
Guam Legislature

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muña-Barnes
Member

Senator Judith P. Guthertz, DPA
Member

Senator Rory J. Respicio
Member

Senator Dennis G. Rodriguez, Jr.
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Senator Christopher M. Duenas
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Senator Mana Silva-Tajerón
Member

Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
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Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform

Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources

Member, Committee on
Education and Public Libraries

Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

February 14, 2011

MEMORANDUM

TO: ALL MEMBERS
Committee on Public Safety, Law Enforcement, & Judiciary

FROM: Senator Adolpho B. Palacios, Sr. 
Committee Chairman

SUBJECT: Committee Report on Bill No. 33-31 (COR).

Transmitted herewith for your consideration is the Committee Report on Bill No. 33-31 (COR)- **An act to repeal the Statutes of Limitation for the prosecution of a sex crime involving a victim who is under the age of the majority by adding a new § 10.16 to Chapter 10 of Title 8, Guam Code Annotated by Vice-Speaker Benjamin J.F. Cruz.**

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 33-31 (COR) as introduced
- Public Hearing Sign-in Sheets
- Copies of testimony submitted and supporting documents
- Copy of COR Referral of Bill No. 33-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Miscellaneous related documents

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please contact this office.

Si Yu'os ma'åse!

Office/Mailing Address: 155 Hesler Place, Hagatña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

VOTING SHEET ON:

Bill No. 33-31 (COR) – “AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED.”

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		2/15/11 ✓				
Thomas C. Ada Vice Chairman		2/15/11 ✓				
Tina R. Muña-Barnes Member		2/18/11				
Judith P. Guthertz, DPA Member		2/15/11				
Rory J. Respicio Member		2/15/11 ✓				
Dennis G. Rodriguez, Jr. Member		2/16/11				
Judith T. Won Pat, Ed.D. Member		02/15/11				
V. Anthony Ada Member		2/15 ✓				
Christopher M. Duenas Member		2/15/11 ✓				
Mana Silva Taijeron Member		2/16/11				
Aline A. Yamashita, Ph.D. Member		2/15/11				



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Public Safety, Law Enforcement & Judiciary convened the public hearing on February 7, 2011 at 9:00 am in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of **Bill No. 33-31 (COR)** - An act to repeal the Statutes of Limitation for the prosecution of a sex crime involving a victim who is under the age of the majority by *adding* a new § 10.16 to Chapter 10 of Title 8, Guam Code Annotated. - By **Vice Speaker Benjamin J. F. Cruz**

Public Hearing Requirements

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on January 28, 2011 (5-day Notice) and on February 2, 2011 (48-Hour notice) pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature's website.

Senators Present

Senator Adolpho B. Palacios, Sr., Chairman
Senator Thomas C. "Tom" Ada, Vice Chairman
Speaker Judith T. Won Pat, member
Senator Dennis Rodriguez, Jr., member
Senator Chris Duenas, member
Senator V. Anthony "Tony" Ada, member
Senator Aline A. Yamashita, Ph.D., member
Senator Rory Respicio
Senator vicente c. "ben" pangelinan
Senator Tina R. Muna Barnes
Senator Frank F. Blas, Jr.
Senator Mana Silva Taijeron

Individual(s) Registered for oral or written testimony:

Phil Tydingco, Attorney General's Office, in favor of the Bill, oral testimony
Basil O'Mallan, Attorney General's Office, in favor of the Bill, oral testimony

Terilynn Francisco, University of Guam Social Work Student Alliance, in favor of the Bill, oral and written testimony.

Ovita Rebanio Perez, President of the National Association of Social Workers (NASW), in favor of the Bill, oral and written testimony.

Athur San Agustin or Lydia Tenorio, Department of Public Health and Social Services, in favor of the Bill, oral and written testimony.

Wilfred Aflague, Department of Mental Health and Substance Abuse, in favor of the Bill, written testimony.

Ann Rios, Department of Mental Health and Substance Abuse, in favor of the Bill, oral and written testimony.

Dr. Ellen Bez, President of Guam Sexual Assault and Abuse Resource Center Association (GSAARCA), in favor of the Bill, oral and written testimony.

Dr. Nerissa B. Underwood, Superintendent of Department of Education, in favor of the Bill, oral and written testimony.

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr. called the Committee on Public Safety, Law Enforcement, & Judiciary to order at 9:03 a.m. Chairman Palacios read the title of the bill and read Vice Speaker Benjamin J.F. Cruz's introduction of the bill. (*Kindly see attached for written testimony*).

Phil Tydingco, Deputy Attorney General, was present and provided oral testimony in favor of the bill. Tydingco said the Office of the Attorney General and Attorney is in support of the measure, adding that experience and research in the last 30 to 40 years on the matter has shown that childhood sexual abuse is extremely difficult to overcome for the survivor. Tydingco described child sexual abuse as a heinous crime that is almost always committed in secrecy. He said some folks take an entire life to come forward to the authorities and seek justice. Tydingco explained that under common law for the last thousand years or more, the crime of murder was subject to no statute of limitations because it is considered *malum in se*, inherently evil. Tydingco said the child sexual abuse is clearly one of those that is *malum in se*, inherently evil, and therefore should be held to the same standard. Tydingco urged for the passage of Bill by *I Liheslatura* and its enactment.

Basil O'Mallen, the Chief Prosecutor with the Office of the Attorney General was present, stating that he is in favor of the bill and offering to respond to questions.

Terilynn Francisco was present to represent the Social Work Student Alliance of the University of Guam. She provided oral and written testimony in favor of Bill 33-31. She said her organization advocates against all forms of oppression. As social justice seekers, she said her organization's members support the measure. She said it is everyone's obligation to advocate against the oppression of our most vulnerable population of our society, our children. She added it is vital the bill be passed so child victims to confront their abuse and be grant a fair chance at healing. *(Kindly see attached for written testimony).*

Ovita Rebanio Perez, President of the National Association of Social Workers, Guam Chapter, was present and provided written and oral testimony in favor of the bill. Perez said her organization is the largest organization of professional social workers in the world. She added that social justice is core value of her organization and compels her organization to support Bill 33-31 (COR). Perez stated indicated, however, the need to incorporate services that will help bioth the victim and the perpetrator overcome their issues such as counseling services to help them deal with what has been brought forth. She urged support for funding for the services to child sexual abuse. *(Kindly see attached for written testimony).*

Arthur U. San Agustin, Acting Director of the Department of Public Health and Social Services, was present and provided oral testimony in favor of the bill. San Agustin said that DPHSS administers the Child Protective Services (CPS) program, which serves to protect children from abuse. He said out of the over thousand reports that are made to CPS, child sexual abuse is the third highest reported case of child abuse, while child abuse is first and child neglect is second. He said a child victim is unable to understand, recognize or talk about their victimization until their later years. He added that another fact about child sexual abuse is that by the time a disclosure of the incident is made, the child has likely been repeatedly victimized by his or her perpetrator. The perpetrator is also likely no stranger to the victim, but someone who has been in control of and provides care over the child, he said. San Agustin said it is important to recognize that resources are needed in the areas of treatment, advocacy, and support, when victims find the strength to come out and deal with their horrific experiences and face their perpetrator. San Agustin concluded that the bill will provide victims of child sexual abuse with the assurance that they can take criminal action when they are prepared to do so. *(Kindly see attached for written testimony).*

Wilfred Aflague, Acting Director of the Department of Mental Health and Substance Abuse, was present and provided oral testimony in favor of the bill. Aflague said he agrees that there should be no statute of limitations for child sexual abuse. Aflague deferred further testimony, on behalf of DMSHA, to Ann Rios. *(Although Mr. Aflague marked "written testimony" on the sign up sheet, he did not have a written testimony).*

Ann Rios, RN, a certified sexual assault examiner employed by DMHSA, was present and provided oral and written testimony in favor of Bill 33-31 and 34-31. She said the measure will offer sexual assault victims the opportunity to find closure in a topic to taboo to talk about. She added that while victims come from all ethnicities, ages and economic status, although the most vulnerable are the young and those with disabilities. Rios said her center has served 57 minors (75%) in 2008, 54 minors (72%) in 2009, and 100 minors (85%) in 2010. Rios said in 2005, the U.S. Department of Justice reported that 60% of rapes/sexual assault are not reported to the police and only 6% of rapists ever spend a day in jail. She added this underreporting speaks to the victim's fears and perceived consequences for reporting. *(Kindly see attached for written testimony).*

Dr. Ellen Bez, President and Founder of the Guam Sexual Assault and Abuse Resource Center Association (GSAARCA), submitted oral and written testimony in favor of both Bills 33-31 and 43-31. Bez said her organization is committed to ending sexual violence in our community. Bez testified that she is also the consultant for the Healing Hearts Crisis Center for over 15 years. She said a majority of states have extended the time for cases of sexual offenses against children, adding that it is well-documented that child victims are more easily intimidated by offenders. She said it is also well recognized that child victims may repress those memories or develop severe psychological trauma from the nature of the offense may delay their ability to report this abuse. *(Kindly see attached for written testimony).*

Dr. Nerissa Underwood, Superintendent of Education, provided written testimony in favor of the bill which was presented by Mr. Chris Anderson, Associate Superintendent of Special Education. DOE emphasized the importance of the amendment to existing laws limiting the reporting of sexual crimes against children. Underwood stated that the change would "provide victims ample time to heal and find strength, support and guidance to confront their perpetrators." The Superintendent said she believes that the change in law that would abolish the statutes of limitations for reporting of such crimes can be a "deterrent to perpetrators knowing that that they can be prosecuted at any time." To facilitate building a data base of how children on Guam are being affected by

child sexual abuse, DOE suggests that the data from Child Protective Services (CPS) and the yearly Youth Risk Behavior Surveys be utilized. (*Kindly see attached for written testimony*).

Chairman Palacios concluded the hearing and requested that written testimony be submitted within the next ten (10) days. He adjourned the hearing at 1:23 p.m.

III. WRITTEN TESTIMONIES

Mary Weakley, BSW, Program Director, Latte Treatment Center, LLC. Ms. Weakley submitted written testimony on February 16, 2011 in favor of Bill 33. She explains that the Latte Treatment Center has seen first-hand the adverse affects this personal violation has on an individual's well-being. Latte Treatment Center supports the enactment of Bill 34, that justice for child sexual abuse survivors be achieved by reviving the statute of limitations for civil actions for past child sexual abuse for a two-year period, and also supports abolishing the statute of limitations for the criminal prosecution of perpetrators for sex crimes against children.

No additional further written testimony received within the ten (10) day period after the public hearing.

IV. FINDINGS AND RECOMMENDATIONS

The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 33-31 (COR), as introduced**, with the recommendation **TO PASS**.

I MINA' TRENTAI UNO NA LIHESLATURAN GUÅHAN
2011 (First) Regular Session

Bill No. 33-31 (COR)

Introduced by:

B.J.F. Cruz



2011 JAN 18 PM 2:06



**AN ACT TO REPEAL THE STATUTE OF LIMITATION
FOR THE PROSECUTION OF A SEX CRIME
INVOLVING A VICTIM WHO IS UNDER THE AGE OF
THE MAJORITY BY *ADDING* A NEW § 10.16 TO
CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that child sexual abuse survivors often are disabled from revealing
4 abuse at the time they suffer it and for many years thereafter. Furthermore,
5 the expiration of applicable statutes of limitation has the effect of barring
6 both civil claims and criminal prosecution of the perpetrators.

7 *I Liheslaturan Guåhan* finds that several state legislatures in the
8 country have already passed or are attempting to enact legislation to open a
9 window for civil claims against such perpetrators. However, as long as the
10 applicable statutes of limitation for criminal prosecution remain in place,
11 there will be a perpetual need to introduce such window legislation in the
12 future.

13 *I Liheslaturan Guåhan* intends to address this by abolishing the statute
14 of limitations for the criminal prosecution of perpetrators for sex crimes
15 against children altogether, thereby serving to protect children from sex

1 crimes and the kind of suffering already being endured by victims who are
2 denied justice and relief under the current legal system.

3 **Section 2.** A new § 10.16 is hereby *added* to Chapter 10 of Title 8,
4 Guam Code Annotated to read:

5 **"§ 10.16 No limitation on Sex Crimes committed against victims**
6 **under the age of the majority.** If the offense is a violation of Chapter
7 25 of Title 9 GCA and the victim was under the age of the majority at
8 the time the offense was committed, a prosecution of the offense may
9 be commenced at any time. This section applies to any such offense
10 *except* an offense the prosecution of which would have been *barred*
11 by § 10.15 of this Chapter on or before enactment of this Act."

12 **Section 3. Effective Date.** This Act shall be effective upon enactment
13 into law.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

Monday, February 7, 2011

Bill No. 33-31 (COR) – AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED. – by Vice Speaker B. J. F. Cruz

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
✓ Phil Tydingco	AGU		✓		✓	
✓ Basil O'Malley	AGO		✓		✓	
✓ Terilyn Francisco	social work Student Alliance	727-8374	✓	✓	✓	
✓ Orfa Perez	NASW	635-4392 727-6843	✓	✓	✓	
✓ Arthur San Francisco Or Lydia Francisco	DATES		✓	✓	✓	



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno na Liheslaturan Guahan

**SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN**

Monday, February 7, 2011

Bill No. 33-31 (COR) – AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED. – **by Vice Speaker B. J. F. Cruz**

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
✓ W.L. Aflague	DMASA	647-5355		✓	✓	
✓ Ann Rios	DMASA	647-5351	✓	✓	✓	



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
CHAIRMAN

Monday, February 7, 2011

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NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
<i>Narcissa B. Underwood</i>	<i>DOJ</i>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	

February 7, 2011

SWSA Testimony

The Social Work Student Alliance (SWSA) of the Bachelors of Social Work Program at the University of Guam advocates against all forms of oppression. As social justice seekers we are in support of Bill's 33-31 and 34-31 as this legislative action fuels the social movement of a system of reparative justice- a system that is completely victim oriented. It is our obligation, whether or not we are social workers, whether or not we have suffered child sexual abuse, whether or not we are law makers, but as human beings of the age of majority to participate in the active social unraveling of this systemic oppression of the most vulnerable population in our society, our children. It is vital to pass these bills and allow for child victims to confront their abuse and be granted a fair chance at healing.

Testimony Given By: Terilynn Francisco



National Association of Social Workers

P.O. Box 2123 Hagatna, Guam 96932 – (671)727-7908, Fax (671) 4771077 E-mail: naswgu@gmail.com

February 7, 2011

Senator Adolpho B. Palacios, Sr.
Chairman, Committee on Public Safety, Law Enforcement & Judiciary
155 Hessler Place
Hagatna, Guam 96910

The National Association of Social Workers (NASW) is the largest organization of professional social workers in the world, with 150,000 members, 90% of whom hold master's degrees in social work. There are chapters in every state in the U.S., as well as Washington, D.C., New York City, Guam, Puerto Rico, the Virgin Islands, and an International Chapter.

NASW works to promote the well-being of individuals, families and communities. Through advocacy, it aims to shape legislation and public policy that:

- Protects and strengthens the social work profession
- Creates and maintains professional standards
- Promotes health, welfare and education

Every social worker is uniquely qualified to help people right in their own environment, by looking at all the different aspects of their life and culture. We work to ensure your personal well-being, prevent crises and to counsel individuals, families, and communities. We make sure people get the help they need, from the best resources available. And for more than 100 years, we've been doing just that!

Social workers care for people in every stage of life, from children to the elderly. We help them overcome life's most difficult challenges, and the troubles of everyday living. Our core values are service; social justice; dignity and worth of the person; importance of human relationships; integrity and competence.

Perhaps the greatest of these values is that of social justice which is the driving force for this letter to you today in support of Bills 33-31 (COR); 34-31 (COR) and 41-31 (COR). Continued legislation that protects social justice must continue to be advocated for; however, we must also consider the impact that arises especially with Bill 33-31. We must incorporate services that will help both the victim and the perpetrator overcome their issues such as counseling services to help them deal with what has been brought forth. With the passage of these bills, please consider its impact and promote the funding for the services that will be needed to address the issues.

Thank you for the opportunity to provide this testimony.

Respectfully Submitted,

Ovita Rebanio Perez, President



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



ARTHUR U. SAN AGUSTIN, MHR
ACTING DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

FEB 07 2011

Honorable Senator Adolpho B. Palacios, Sr.
31st Guam Legislature
Chairman
Committee on Public Safety, Law Enforcement & Judiciary

Testimony: Bill No. 33-31 "An Act to repeal the Statute of Limitation for the Prosecution of a Sex Crime involving a Victim who is under the age of the majority..."

Bill No. 34-31 "An act to amend subsection 11306 of Article 3, Chapter 11, Title 7 of the GCA; relative to the Statute of Limitations for Civil Actions involving Child Sexual Abuse"

Hafa Adai Mr. Chairman and Members of the Committee on Public Safety, Law Enforcement and Judiciary. I am Arthur U. San Agustin, Acting Director of the Department of Public Health & Social Services and I would like to express my support of Bill Nos. 33-31 and 34-31.

The department administers Child Protective Services (CPS), a program that serves to protect children who are victims of child abuse and neglect and therefore sees first-hand the complexities and dynamics involved in these cases. From the yearly reports of over a thousand (1,000) that are made to CPS, Child Sexual Abuse stands as the third highest reported, while physical abuse is first and physical neglect is second. This is not to say that incidents of sexual abuse are not prevalent, but may be indicative of the fact that a child victim is unable to understand, recognize or talk about their victimization until their later years.

The other fact about Child Sexual Abuse is that by the time a disclosure of the incident is made, the child has likely been repeatedly victimized by their perpetrator. In these instances, the perpetrator is also likely no stranger to the victim, but someone who has been in control of and provides care over the child. The victimization of a child is carefully crafted by the perpetrator who oftentimes has access and opportunity. The child is often groomed which later leads to threats. It is for this reason a child victim finds him or herself hopeless and helpless during the time of victimization and is unable to seek help. They usually tend to escape at the time they turn the age of majority. The reality is that the injury of Child Sexual Abuse remains to be manifested over an entire lifetime.

While the intent of the bills will clearly provide victims with the opportunity to report and seek justice, it will also become a source of healing. In addition, it will be a means to stop a perpetrator who may likely be further victimizing other children, unless caught and legally dealt with.

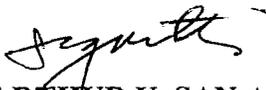
GOVERNMENT OF GUAM
DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT

Page 2 of 2
Testimony on Bill Nos. 33-31 (COR) and 34-31 (COR)

As CPS is a first and front line provider to these cases, along with our key partners, the Guam Police Department, Office of the Attorney General and the Healing Hearts Crisis Center, we ask that the resources required to support these victims who come forward be provided so we are able to give them the services they need without further delay by the system. It is important to recognize that these resources are in the areas of treatment, advocacy and support (formal support system) will be needed when these victims find the strength to come out and deal with their horrific experiences, face their perpetrator.

On behalf of the department and CPS, I thank you for this opportunity to speak on behalf of these bills that will provide victims of Child Sexual Abuse with the assurance they can take criminal action when they are prepared to do so, and for civil action, for two years from the date of the passage of the bill to help them with the healing process, a journey of a lifetime.

Sensaramente,


ARTHUR U. SAN AGUSTIN, MHR
Acting

February 7, 2011

To: Vice Speaker B.J. Cruz

Chairman Committee on Youth, Cultural Affairs, Procurement, General
Government Operations, and Public Broadcasting

Via: Acting Director 

From: Ann Rios, RN, BSN, SANE-A 

Subject: Bills: 33-31 (COR) & 34-31 (COR).

Buenas yan Hafa Adai!

My name is Ann Rios, a certified sexual assault nurse examiner, employed by the Department of Mental Health and Substance Abuse's Healing Hearts Crisis Center. On behalf of Healing Hearts Crisis Center, I will provide critical data in favor of supporting Bills 33-31 (COR) & 34-31 (COR).

The passage of Bills 33-31 (COR) & 34-31 (COR) will offer sexual assault victims the opportunity to find closure in a topic too taboo to talk about. Although, HHCC provides services specific to sexual assaulted patient, we realize the secondary victims are the families.

Healing Hearts Crisis Center has offered services to victims of sexual abuse and assault since its creation in 1993. Through the years, what has remained constant is sexual abuse does not discriminate. Victims come from all ethnicities, ages and economic status, although the most vulnerable are the young and those with disabilities – those individuals who can't speak for themselves.

HHCC served 57 minors (75%) in 2008. In 2009, 54 minors (72%) and 100 minors in 2010 (85%).

Healing Hearts has been fortunate to receive support from our department and funding through federal grants. We've established working relationships within our department – Adult Counseling, l'Famaguonta, Child-Adolescent Services, New Beginnings, & Community Support Services. We've identified resources in the community and built rapport with both governmental and non-governmental agencies-VARO; Sanctuary; University of Guam's Isa Psychological Services; Department of Public Health & Social Services' Child & Adult Protective Services; Guam Police Department; Attorney General of Guam; US Attorney General; Victims Advocates & Investigative Services representing the Air Force, Navy, Coast Guard and the National Guard; Alee Shelter; Guam Legal Services Corporation; the Guam Coalition Against Sexual Violence and Family Violence; and the Guam Sexual Abuse & Assault Resource Center Association.

In 2005, the US Department of Justice reported that 60% of rapes/sexual assault are not reported to the police and only about 6% of rapists ever spend a day in jail. This underreporting speaks to the victims fears and perceived consequence for reporting. Sexual assault affects not only the victim, but the loved ones and family of the survivor, as well as the community. Victims of sexual assault are 3 times more likely to suffer depression, 6 times more likely to suffer from post-traumatic stress disorder, 13 times more likely to abuse alcohol, 26 times more likely to abuse drugs and 4 times more likely to contemplate suicide. Bills 33 & 34 will allow victims to disclose their sexual assault and thereby deal with the psychological trauma that has likely limited their ability to reach their full potential.

Un Dangkolo Na Si Yu'os Ma'ase.

My name is Dr. Ellen Bez, and I am the President and founder of the Guam Sexual Assault and Abuse Resource Center Association (GSAARCA), a non-profit organization committed to ending sexual violence in our community. Also, I am the Medical Consultant for Healing Hearts Crisis Center and have been in that position for over 15 years. I am in support of legislation to remove the statute of limitations in cases of child sexual abuse as provided for in Bill's 33 and 34.

THE SEXUAL ABUSE of children has been labeled "a silent, violent epidemic" by the American Medical Association. One in four girls and one in six boys have experienced some form of sexual abuse before age 18, according to the US Centers for Disease Control and Prevention. More than 80 percent of incidents are never reported to authorities.

A majority of states have extended the time for cases of sexual offenses against children. Those states have recognized the power imbalance between child victims and the adult perpetrators. It is well documented that child victims are more easily intimidated by offenders. It is also recognized that child victims may repress those memories or develop severe psychological trauma from the nature of the offense that may delay their ability to report this abuse. Children do not disclose this abuse because they need maturity to comprehend what happened. A study conducted by a Boston attorney revealed that victims of child sexual abuse took 32.3 years to disclose their abuse, at an average age of 45.

There are many reasons offered for eliminating the statute of limitations on sexual assault cases:

1. Eliminating all statutes of limitations will reduce the number of sexual offenders at large.

2. It opens the courthouse doors and lets victims expose perpetrators through peaceful, legal means.
3. Psychological studies have shown that there is no "statute of limitations" for a pedophile's attraction to children.
4. Statutes of limitations protect pedophiles. In the Massachusetts Catholic child abuse crisis, only 2% of the abusers were ever jailed. Many of those confirmed abusers are now living in those communities, unidentified.
5. There is no "statute of limitations" on the suffering of victims -- for many, the pain is pervasive and on-going, even after years of therapy. Often, molesters have threatened to hurt the victims or their families if they reveal the abuse.
6. Eliminating statutes will get more sexual offenders involved in the criminal justice system, where they will get access to much-needed treatment.

According to the National Conference of State Legislators, in their April 2007 Issues and Research Forum:

"Most states have laws limiting the time during which crimes other than murder may be prosecuted. In recent years, many states have adopted varying extensions to their criminal statutes of limitations for cases of sexual assault.

Seven states, Alabama, Delaware, Idaho, Mississippi, New York, North Carolina, and Virginia have no time limitation for the offense of rape. Nevada has no limitation for sexual assault if a written report has been filed with a law enforcement officer during the period of limitation. A number of states have no statute of limitations for prosecutions of the most serious, often Class A felonies, including rape crimes and regardless of the age of the victim. These include

Connecticut, Florida, Indiana, Kentucky, Louisiana, Michigan, Missouri, New Jersey, New Mexico, Rhode Island, South Dakota and Vermont.

Availability of DNA evidence in sexual assault cases also has altered statutes of limitations.

Some states extend and others eliminate the statute of limitations on specified crimes if identity of the perpetrator is established by DNA. Those include Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Oklahoma, Texas, Utah and Wisconsin.”

The disparity between the time it takes for victims to come forward and the current statute of limitations represents a "justice gap." Closing this gap is critical for victims.

Additionally, it may also prevent the victimization of the most vulnerable citizens of our society by putting offenders on notice that they will not be allowed to continue offending with impunity.

Ellen P. Bez, MD, FACP
President, Guam SAARCA
Medical Consultant, Healing
Heart Crisis Center



**DEPARTMENT OF EDUCATION
OFFICE OF THE SUPERINTENDENT**

www.gdoe.net
P.O. Box D.E., Hagatña, Guam 96932
Telephone: (671)475-0457 or 300-1547/1536 • Fax: (671)472-5003
Email: nbunderwood@gdoe.net



Nerissa Bretania Underwood, Ph.D.
Superintendent of Education

February 07, 2011

The Honorable B. J. Cruz
Senator, 31st Guam Legislature
155 Hesler Place
Hagatna, Guam 96932

**Testimony on Bill 33-31 To repeal the Statute of Limitation
for the Prosecution of a Sex Crime Involving a Victim
Who is under the Age of the Majority**

Dear Senator Cruz,

Thank you for the opportunity to provide testimony on Bill 33-31 AN ACT TO REPEAL THE STATUTE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED. The Department of Education (DOE) supports Bill 33-31 because it will help us carry out our mission to *Prepare all students for life, Promote excellence, and Provide support.*

Repealing the statute of limitation will provide victims with ample time to heal and find the strength, support, and guidance to confront their perpetrators. Although the bruises of physical abuse may be more obvious and visible, this Bill will address the psychological bruises and scars that are not so visible. People cope and address trauma at different rates. This proposed legislation provides maximum time for all victims and hopefully provides a deterrent to perpetrators knowing that they could be prosecuted at any time.

In terms of establishing a strong basis for this legislation, DOE recommends the use of data from Child Protective Services (the Child Abuse and Neglect Statistics) and the Youth Risk Behavior Survey conducted by DOE and the DPHSS. Both data sets reflect behavioral trends in our community.

Again, thank you for the opportunity to provide this important testimony in support of this bill. The Department of Education agrees that this bill will help all victims, especially our youth.

NERISSA BRETANIA UNDERWOOD, Ph.D.
Superintendent of Education

2/7/2011
DATE



Supporting the children and families of Guam

Latte Treatment Center, LLC

PMB 960 Ste.101, 1270 North Marine Corps Drive
Tamuning, Guam 96913-4331
Phone 671-647-5390; 671-969-6172;
Dav Treatment Center 671-989-5390



Accredited by The Joint Commission

15 February 2011

To: Honorable Benjamin J. F. Cruz
Vice Speaker, Guam Legislature

Re: Testimony for Bill #33-31, #34-31 and #41-31

Please find attached the testimonies in support of Bill #33-31, #34-31 and #41-31. Thank you for allowing Latte Treatment Center, LLC the opportunity to submit comment.

Sincerely,

A handwritten signature in cursive script that reads 'Mary Weakley'. The signature is fluid and matches the printed name below it.

Mary Weakley, BSW
Program Director

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 33-31**

AN ACT TO REPEAL THE STATUE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED.

Department/Agency Appropriation Information

Dept./Agency Affected: Office of the Attorney General	Dept./Agency Head: Leonardo Rapadas, Attorney
Department's General Fund (GF) appropriation(s) to date:	10,793,965
Department's Other Fund (Specify) appropriation(s) to date:	
Total Department/Agency Appropriation(s) to date:	\$10,793,965

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes /X/ No*
/ / Requested agency comments not received by due date / / Other: _____

*Insufficient time to coordinate with affected Agency due to overdue deadline.

Analyst: Dina P. Rivera Date: 2/21/11 Director: Benita Manglona Date: 2/21/11
Dina P. Rivera Benita A. Manglona, Acting Director

Footnotes:

The Bill has a potential for additional funding impact. However, in its present form, that impact cannot be determined at this time.



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Latte Treatment Center, LLC

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Tamuning, Guam 96913-4331
Phone 671-647-5390; 671-969-6172;
Day Treatment Center 671-989-5390



Accredited by The Joint Commission

Bill No. 33-31 AN ACT TO REPEAL THE STATUE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW 10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED

Unfortunately, the Latte Treatment Center has been on the receiving end of treating children and adolescents who are victims of sexual abuse. Latte has seen first-hand the adverse affects this personal violation has on an individual's well-being. There is no one single identifiable sign or symptom subtle or pronounced. These children may have experienced bedwetting, waking up in the night screaming, loss of appetite, trouble eating, anger outbursts, withdrawal from activities and self mutilation to name a few and many carry this trauma through the rest of their lives and of which our treating clinicians and professionals deal with in treatment. Further, their ability to cope in situations is often a struggle, where, for non-victims, the same situations are merely routine and unobtrusive.

For the above-mentioned reasons, the Latte Treatment Center supports the enactment of legislation that justice for child sexual abuse survivors be achieved by reviving the statute of limitations for civil actions for past child sexual abuse for a two year period and also supports abolishing the statute of limitations for the criminal prosecution of perpetrators for sex crimes against children.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st 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

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

Vice Speaker
Benjamin J. F. Cruz

Senator
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LEGISLATIVE SECRETARY
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Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Ducnas

February 9, 2011

VIA FACSIMILE
(671) 472-2825

Ms. Benita Manglona
Acting Director
Bureau of Budget & management Research
P.O. Box 2950
Hagåtña, Guam 96910

**RE: Request for Fiscal Note -
Bill Nos. 27-31(COR) through 28-31(COR) and 30-31(COR) through 53-31(COR)**

Hafa Adai Ms. Manglona:

Transmitted herewith is a listing of *I Mina'trentai Unu na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Rory J. Respicio

Attachments

Cc: Clerk of the Legislature

2011 FEB 10 AM 10:14

Rec'd: Jackie
2/10/11 8:57am

I Mina'trentai Unu Na Liheslaturan Gu ãhan

Bill Log Sheet

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee/Office Referred
33-31 (COR)	B.J.F. Cruz	An act to repeal the statute of limitation for the prosecution of a sex crime involving a victim who is under the age of the majority by adding a new § 10.16 to Chapter 10 of Title 8, Guam Code Annotated.	1/18/11 2:06 p.m.	1/19/2011		Committee on Public Safety, Law Enforcement and Judiciary.
34-31 (COR)	B.J.F. Cruz	An act to amend § 11306 of Article 3, Chapter 11, Title 7 of the Guam Code Annotated; relative to the statute of limitations for civil actions involving child sexual abuse.	1/18/11 2:06 p.m.	1/19/2011		Committee on Public Safety, Law Enforcement and Judiciary.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

January 28, 2011

(Pursuant to §8107, Title 5 GCA – 5 days prior to hearing date)

PUBLIC HEARING NOTICE

The Committee on Public Safety, Law Enforcement, and Judiciary has scheduled a public hearing starting at **9:00 am, Monday, February 7, 2011**, at *I Liheslaturan Guahan's* Public Hearing Room in Hagåtña, on the following:

- **Bill No. 33-31 (COR) – AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED. – by Vice Speaker B. J. F. Cruz**
- **Bill No. 34-31 (COR) – AN ACT TO AMEND §11306 OF ARTICLE 3, CHAPTER 11, TITLE 7 OF THE GUAM CODE ANNOTATED; RELATIVE TO THE STATUTES OF LIMITATIONS FOR CIVIL ACTIONS INVOLVING CHILD SEXUAL ABUSE. – by Vice Speaker B. J. F. Cruz**
- **Bill No. 41-31 (COR) – AN ACT TO AMEND §§19.69, 19.70, AND 61.20 OF TITLE 9, GUAM CODE ANNOTATED; TO ADD NEW §§61.20.1, 28.90, 29.100, AND 28.101 TO TITLE 17, GUAM CODE ANNOTATED; RELATIVE TO BULLYING, CYBERBULLYING, AND SEXTING. – by Vice Speaker B. J. F. Cruz**
- **Bill No. 53-31 (COR) – AN ACT RELATIVE TO AUTHORIZING FOR THE EXPUNGEMENT OF CRIME RECORDS FOLLOWING AN EXECUTIVE PARDON OF A CRIME BY AMENDING SECTION 11.10 OF CHAPTER 11, TITLE 8, GUAM CODE ANNOTATED. – by Senator Adolpho B. Palacios, Sr.**

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr., or via fax to 472-5022, or via email to SenABPalacios@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guahan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Julian Janssen or Priscilla Cruz at 472-5047/5048.

Office/Mailing Address: 155 Hesler Place, Hagatña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



Adolpho Palacios <senabpalacios@gmail.com>

First Notice of Public Hearing scheduled for Feb. 7, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Fri, Jan 28, 2011 at 10:05 AM

To: speaker@judiwonpat.com, senator@senatorbjcruz.com, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, "Asst. Majority Leader Judith P. Guthertz, DPA" <judiguthertz@pticom.com>, office@senatorada.org, "Senator Ben C. Pangelinan" <senbenp@guam.net>, senatordrodriguez@gmail.com, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Aline4families@gmail.com, senatortonyada@guamlegislature.org, duenasenator@gmail.com, senatormabini@gmail.com

January 28, 2011

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Adolpho Palacios <senabpalacios@gmail.com>

First Notice of Public Hearing scheduled for Feb. 7, 2011

2 messages

Adolpho Palacios <senabpalacios@gmail.com>

Fri, Jan 28, 2011 at 9:58 AM

To: sabrina@kuam.com, jason@kuam.com, mindy@kuam.com, news@guampdn.com, Catriona Melyan <cmelyan@guampdn.com>, news@spbguam.com, amier@mvguam.com, marvic@mvguam.com, ads@mvguam.com, clynt@spbguam.com, kstone@ite.net

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The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr., or via fax to 472-5022, or via email to SenABPalacios@gmail.com. Copies of the aforementioned Bill(s) may be obtained at *I Liheslaturan Guåhan's* website at www.guamlegislature.com. Individuals requiring special accommodations or services, please contact Julian Janssen or Priscilla Cruz at 472-5047/5048.

postmaster@ad.gannett.com <postmaster@ad.gannett.com>

Fri, Jan 28, 2011 at 9:59 AM

To: senabpalacios@gmail.com

Delivery has failed to these recipients or distribution lists:

bmkelman@guam.gannett.com

The recipient's mailbox is full and can't accept messages now. Microsoft Exchange will not try to redeliver this message for you. Please try resending this message later, or contact the recipient directly.

Sent by Microsoft Exchange Server 2007

Diagnostic information for administrators:Generating server: us.ad.gannett.combmkelman@guam.gannett.com

#550 5.2.2 STOREDRV.Deliver: mailbox full. The following information should help identify the cause: "

MapiExceptionShutoffQuotaExceeded:16.18969:86000000, 17.27161:00000000A400000000000000F0000000000000, 255.23226:00000000, 255.27962:FE000000, 255.17082:DD040000, 0.26937:0E000000, 4.21921:DD040000, 255.27962:FA000000, 255.1494:00000000, 255.26426:FE000000, 2.22787:00000000, 4.13032:0F010480, 4.7588:0F010480, 4.6564:0F010480, 4.4740:05000780, 4.6276:05000780, 4.5721:DD040000, 4.6489:DD040000, 4.2199:DD040000, 4.17097:DD040000, 4.8620:DD040000, 255.1750:00000000, 0.26849:00000000, 255.21817:DD040000, 0.26297:2D000000, 4.16585:DD040000, 0.32441:6C3B0000, 4.1706:DD040000, 0.24761:00000000, 4.20665:DD040000, 0.25785:00000000, 4.29881:DD040000". ##

Original message headers:

Received: from ENT-MOCEXHC02.us.ad.gannett.com (172.20.1.48) by ENT-GUAEYMB10.us.ad.gannett.com (10.1.200.61) with Microsoft SMTP Server (TLS) id 8.2.254.0; Fri, 28 Jan 2011 09:59:31 +1000
 Received: from ent-mocinrl04.gannett.com (159.54.39.18) by ENT-MOCEXHC02.us.ad.gannett.com (172.20.1.48) with Microsoft SMTP Server (TLS) id 8.2.254.0; Thu, 27 Jan 2011 18:59:28 -0500
 Received: from psmtp.com (exprod7mx254.postini.com [64.16.2.108]) by ent-mocinrl04.gannett.com (Postfix) with SMTP id CC9591B4E74; Thu, 27 Jan 2011 18:59:24 -0500 (EST)
 Received: from source ([67.98.163.23]) by exprod7mx254.postini.com ([64.16.6.14]) with SMTP; Thu, 27 Jan 2011 17:59:27 CST
 Received: by mail.pdnews.com (GuamPDN.com) id 7D2EA47BB2; Fri, 28 Jan 2011 09:59:23 +1000 (ChST)
 Delivered-To: news@quampdn.com
 Received: from psmtp.com (exprod7mx186.postini.com [64.16.2.199]) by mail.pdnews.com (GuamPDN.com) with ESMTPE id D35EC47BAA; Fri, 28 Jan 2011 09:59:01 +1000 (ChST)
 Received: from source ([209.85.161.42]) (using TLSv1) by exprod7mx186.postini.com ([64.16.6.14]) with SMTP; Thu, 27 Jan 2011 17:59:22 CST
 Received: by fxm11 with SMTP id 1lso3674013fxm.15 for <multiple recipients>; Thu, 27 Jan 2011 15:58:59 -0800 (PST)
 DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=gmail.com; s=gamma; h=domainkey-signature:mime-version:date:message-id:subject:from:to:content-type; bh=vz++dihSwxYztr1DXm2eAocS00i6oEw88Ht1tw7bVcM=; b=bdLyL90+4l+KQUJ09iqwYHR6YOxXPHEcXx1MmqgImPycN6eCCrv3B/829cX0PUAP+uAV2j/k9BqIzBUctRQhS1eshUtGtFTbEYFI03o6Se7I3P1CEiInMFWi9R6Hs093gUkWE098WjUHEGRO/iwwH50SSuEfotT4P2gXAC7Bs=
 DomainKey-Signature: a=rsa-sha1; c=noofs; d=gmail.com; s=gamma; h=mime-version:date:message-id:subject:from:to:content-type; b=CpD2Az9PyddxX4qXXORtNRCl+kzeJHM9:qjdbu966C5Fpyns: CZDc+k4nw5h2Sgm3f:lcUuWfHYotlchrli1bPPFP5/Im2wHcWTBWFgAn+Gv+NSUwM+NRVhZEBGtogj8Ax2P2+ruy/eDNVpGGb85RS5edk4d16zMtFIDX2kXktH4=
 MIME-Version: 1.0
 Received: by 10.223.81.70 with SMTP id w6mr1655500fak.62.1296172737265; Thu, 27 Jan 2011 15:58:57 -0800 (PST)
 Received: by 10.223.120.147 with HTTP; Thu, 27 Jan 2011 15:58:57 -0800 (PST)
 Date: Fri, 28 Jan 2011 09:58:57 +1000
 Message-ID: <AANLkTikkDt6pc+ELyJa0-XsOq52uwyMNevMX7zRjg5f@mail.gmail.com>
 Subject: First Notice of Public Hearing scheduled for Feb. 7, 2011
 From: Adolpho Palacios <senabpalacios@gmail.com>
 To: <sabrina@kuam.com>, <jason@kuam.com>, <mindy@kuam.com>, <news@quampdn.com>, Catriona Melyan <cmelyan@quampdn.com>, <news@sphquam.com>, <amier@mvquam.com>, <marvic@mvquam.com>, <ads@mvquam.com>, <clynt@sphquam.com>, <kstonews@ite.net>
 Content-Type: multipart/alternative; boundary="20cf3054a5b3927fd6094adccb48"
 X-pstn-neptune: 0/0/0.00/0
 X-pstn-levels: (S:26.58227/99.90000 CV:99.9000 FC:95.5390 LC:95.5390 R:95.9108 P:94.4238 M:97.0282 C:98.6951)
 X-pstn-settings: 2 (0.5000:0.0750) s cv GT3 gt2 gtl p m c
 X-pstn-addresses: from <senabpalacios@gmail.com> [199/8]
 X-pstn-levels: (S:26.58227/99.90000 CV:99.9000 FC:95.5390 LC:95.5390 R:95.9108 P:94.4238 M:97.0282 C:98.6951)
 Return-Path: senabpalacios@gmail.com

Final-Recipient: rfc822.bmkelman@guam.gannett.com

Action: failed

Status: 5.2.2

Diagnostic-Code: smtp;550 5.2.2 STOREDRV.Deliver: mailbox full. The following information should help identify the cause: "

MapiExceptionShutoffQuotaExceeded:16.18969:86000000, 17.27161:00000000A400000000000000F0000000000000, 255.23226:00000000, 255.27962:FE000000, 255.17082:DD040000, 0.26937:0E000000, 4.21921:DD040000, 255.27962:FA000000, 255.1494:00000000, 255.26426:FE000000, 2.22787:00000000, 4.13032:0F010480, 4.7588:0F010480, 4.6564:0F010480, 4.4740:05000780, 4.6276:05000780, 4.5721:DD040000, 4.6489:DD040000, 4.2199:DD040000, 4.17097:DD040000, 4.8620:DD040000,

255.1750:00000000, 0.26849:00000000, 255.21817:DD040000, 0.26297:2D000000, 4.16585:DD040000, 0.32441:6C3B0000, 4.1706:DD040000, 0.24761:00000000, 4.20665:DD040000, 0.25785:00000000, 4.29881:DD040000".

----- Forwarded message -----

From: Adolpho Palacios <senabpalacios@gmail.com>

To: <sabrina@kuam.com>, <jason@kuam.com>, <mindy@kuam.com>, <news@guampdn.com>, Catriona Melyan <cmelyan@guampdn.com>, <news@spbguam.com>, <amier@mvguam.com>, <marvic@mvguam.com>, <ads@mvguam.com>, <clynt@spbguam.com>, <kstonews@ite.net>

Date: Fri, 28 Jan 2011 09:58:57 +1000

Subject: First Notice of Public Hearing scheduled for Feb. 7, 2011

January 28, 2011

(Pursuant to §8107, Title 5 GCA – 5 days prior to hearing date)

PUBLIC HEARING NOTICE

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- **Bill No. 33-31 (COR) – AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED.** – by Vice Speaker B. J. F. Cruz
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Adolpho Palacios <senabpalacios@gmail.com>

First Notice of Public Hearing scheduled for Feb. 7, 2011

3 messages

Adolpho Palacios <senabpalacios@gmail.com>

Fri, Jan 28, 2011 at 10:05 AM

To: speaker@judiwonpat.com, senator@senatorbjcruz.com, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Majority Leader Rory J. Respicio" <roxyforguam@gmail.com>, "Asst. Majority Leader Judith P. Guthertz, DPA" <judiguthertz@pticom.com>, office@senatorada.org, "Senator Ben C. Pangelinan" <senbenp@guam.net>, senatordrodriguez@gmail.com, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Aline4families@gmail.com, senatortonyada@guamlegislature.org, duenasenator@gmail.com, senatormabini@gmail.com

January 28, 2011

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Adolpho Palacios <senabpalacios@gmail.com>

Fri, Jan 28, 2011 at 4:10 PM

To: garrett.duenas@senatorbjcruz.com, "Sen. BJ Cruz" <senadotbjcruz@gmail.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, Stephanie Mendiola <sem@guamlegislature.org>, Mary Fejeran <maryfejeran@gmail.com>, jamespcastro@gmail.com, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, evelyn4families@gmail.com, duenasenator@gmail.com, leonguerrero.angela@gmail.com, senatormana@gmail.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, cipo@guamlegislature.org, cyrus@senatorada.org, Senator Tom Ada <tom@senatorada.org>

Please see attached. Thank you for your kind attention.

 **02072011PHrg 1st.pdf**
175K

noreply@boxbe.com <noreply@boxbe.com>

Fri, Jan 28, 2011 at 4:10 PM

Reply-To: maryfejeran@gmail.com
To: Adolpho Palacios <senabpalacios@gmail.com>

Hello Adolpho Palacios,

Thanks for the message about "First Notice of Public Hearing scheduled for Feb. 7, 2011". This is a one-time automatic confirmation to let you know you're on my [Boxbe Guest List](#).

Email from you will be delivered right to my Inbox.

Thank you,
Mary Fejeran

boxbe

Powered by Boxbe -- "End Email Overload"

Final-Recipient: rfc822; maryfejeran@gmail.com
Diagnostic-Code: X-Boxbe-Notice; Sender not pre-approved. Follow instructions in above notice
Status: 4.7.0

----- Forwarded message -----
From: Adolpho Palacios <senabpalacios@gmail.com>

To: garrett.duenas@senatorbjcruz.com, "Sen. BJ Cruz" <senadotbjcruz@gmail.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, Stephanie Mendiola <sem@guamlegislature.org>, Mary Fejeran <maryfejeran@gmail.com>, jamespcastro@gmail.com, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, evelyn4families@gmail.com, duenasenator@gmail.com, leonguerrero.angela@gmail.com, senatormana@gmail.com, "Senator Ben C. Pangelinan" <senbenp@guam.net>, cipo@guamlegislature.org, cyrus@senatorada.org, Senator Tom Ada <tom@senatorada.org>

Date: Fri, 28 Jan 2011 16:10:24 +1000

Subject: First Notice of Public Hearing scheduled for Feb. 7, 2011

 noname
OK



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

FACSIMILE TRANSMITTAL SHEET

DATE: January 28, 2011

TO: Pacific Daily News 477-3079 (Attention: Government Meetings)
Marianas Variety 648-2007 (Attention: Community Page)
KUAM/Isla 630 637-9865/9870
Pacific News Center 477-0793
Marianas Media 477-2240
K-57/Power 98 477-3982
Hit Radio 100 472-7663
KStereo/KISH 477-6411
Glimpses 649-8883

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: *FIRST Notice of Public Hearing scheduled for February 7, 2011*

PAGES: 2 (including this sheet)

PLEASE SEE ATTACHMENT. THANK YOU.

BROADCAST REPORT

TIME : 01/28/2011 11:31
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

02

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
01/28	11:19	4773079	38	02	OK	ECM
01/28	11:20	6482007	37	02	OK	ECM
01/28	11:22	6379865	37	02	OK	ECM
01/28	11:23	4770793	37	02	OK	ECM
01/28	11:24	4772240	01:46	02	OK	ECM
01/28	11:26	4773982	37	02	OK	ECM
01/28	11:27	4727663	37	02	OK	ECM
01/28	11:29	4776411	37	02	OK	ECM
01/28	11:30	6498883	37	02	OK	ECM

BUSY : BUSY/NO RESPONSE
 NG : POOR LINE CONDITION
 CV : COVERPAGE
 PC : PC-FAX



Adolpho Palacios <senabpalacios@gmail.com>

First Notice of Public Hearing scheduled for Feb. 7, 2011

2 messages

Adolpho Palacios <senabpalacios@gmail.com>

Fri, Jan 28, 2011 at 10:13 AM

To: clerks@guamlegislature.com, Pat Santos <psantos@guamlegislature.org>, rtaitague@guamlegislature.org, Rennae Perez <rennae@guamlegislature.org>, "Atty. Therese Terlaje" <tterlaje@guam.net>, yong@guamlegislature.org, sgtarms@guamlegislature.org

January 28, 2011

(Pursuant to §8107, Title 5 GCA – 5 days prior to hearing date)

PUBLIC HEARING NOTICE

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- **Bill No. 34-31 (COR) – AN ACT TO AMEND §11306 OF ARTICLE 3, CHAPTER 11, TITLE 7 OF THE GUAM CODE ANNOTATED; RELATIVE TO THE STATUTES OF LIMITATIONS FOR CIVIL ACTIONS INVOLVING CHILD SEXUAL ABUSE. – by Vice Speaker B. J. F. Cruz**
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- **Bill No. 53-31 (COR) – AN ACT RELATIVE TO AUTHORIZING FOR THE EXPUNGEMENT OF CRIME RECORDS FOLLOWING AN EXECUTIVE PARDON OF A CRIME BY AMENDING SECTION**

11.10 OF CHAPTER 11, TITLE 8, GUAM CODE ANNOTATED. – by Senator Adolpho B. Palacios, Sr.

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Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: senabpalacios@gmail.com

Fri, Jan 28, 2011 at 10:13 AM

Delivery to the following recipient failed permanently:

clerks@guamlegislature.com org

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the recipient domain. We recommend contacting the other email provider for further information about the cause of this error. The error that the other server returned was: 550 550 5.1.1 <clerks@guamlegislature.com>: Recipient address rejected: User unknown in local recipient table (state 14).

----- Original message -----

MIME-Version: 1.0

Received: by 10.223.83.197 with SMTP id g5mr1662171fal.5.1296173582392; Thu, 27 Jan 2011 16:13:02 -0800 (PST)

Received: by 10.223.120.147 with HTTP; Thu, 27 Jan 2011 16:13:02 -0800 (PST)

Date: Fri, 28 Jan 2011 10:13:02 +1000

Message-ID: <AANLkTi=0Z7qco94AL3Y8A7ypsAkxY=AYfx_hjh+ji8o5@mail.gmail.com>

Subject: First Notice of Public Hearing scheduled for Feb. 7, 2011

From: Adolpho Palacios <senabpalacios@gmail.com>

To: clerks@guamlegislature.com, Pat Santos <psantos@guamlegislature.org>, rtaitague@guamlegislature.org, Rennae Perez <rennae@guamlegislature.org>,

"Atty. Therese Terlaje" <tterlaje@guam.net>, yong@guamlegislature.org, sgtarms@guamlegislature.org

Content-Type: multipart/alternative; boundary=20cf3054a4a1f21ee2049adced66

January 28, 2011

[Quoted text hidden]



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guahan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

February 2, 2011

(Pursuant to §8107, Title 5 GCA – 48 hours prior to hearing date)

PUBLIC HEARING NOTICE

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Office/Mailing Address: 155 Hester Place, Hagåtña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



Adolpho Palacios <senabpalacios@gmail.com>

Second Notice of Public Hearing scheduled for Feb. 7, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>

Wed, Feb 2, 2011 at 10:36 AM

To: speaker@judiwonpat.com, "Sen. BJ Cruz" <senadotbjcruz@gmail.com>, Secretary Tina Rose Muna-Barnes <tinamunabarnes@gmail.com>, "Majority Leader Rory J. Respicio" <roryforguam@gmail.com>, judiguthertz@gmail.com, senatordrodriguez@gmail.com, office@senatorada.org, "Senator Ben C. Pangelinan" <senbenp@guam.net>, "Senator Frank F. Blas, Jr." <frank.blasjr@gmail.com>, Aline4families@gmail.com, senatortonyada@guamlegislature.org, senatormana@gmail.com, duenasenator@gmail.com, senatorsam@senatormabini.com

February 2, 2011

(Pursuant to §8107, Title 5 GCA – 48 hours prior to hearing date)

PUBLIC HEARING NOTICE

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Adolpho Palacios <senabpalacios@gmail.com>

Second Notice of Public Hearing scheduled for Feb. 7, 2011

1 message

Adolpho Palacios <senabpalacios@gmail.com>**Wed, Feb 2, 2011 at 10:39 AM**

To: clerks@guamlegislature.org, "Atty. Therese Terlaje" <tterlaje@guam.net>, yong@guamlegislature.org, sgtarms@guamlegislature.org, garrett.duenas@senatorbjcruz.com, cmunabrecht@guamlegislature.org, Stephanie Mendiola <sem@guamlegislature.org>, nsantos@senatorada.org, cyrus@senatorada.org, cipo@guamlegislature.org, Mary Fejeran <maryfejeran@gmail.com>, jamespcastro@gmail.com, evelyn4families@gmail.com, louise_atalig@yahoo.com, leslie.g@senatormabini.com, alerta.jermaine@gmail.com

February 2, 2011

(Pursuant to §8107, Title 5 GCA – 48 hours prior to hearing date)

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Adolpho Palacios <senabpalacios@gmail.com>

Second Notice of Public Hearing scheduled for Feb. 7, 2011

2 messages

Adolpho Palacios <senabpalacios@gmail.com>

Wed, Feb 2, 2011 at 10:45 AM

To: sabrina@kuam.com, jason@kuam.com, mindy@kuam.com, parroyo@spbguam.com, thebigshow@spbguam.com, rgibson@k57.com, dmgeorge@guampdn.com, Catriona Melyan <cmelyan@guampdn.com>, mpieper@guampdn.com, dmgeorge@guam.gannett.com, amier@mvguam.com, admin@mvguam.com, marvic@mvguam.com, therese@mvguam.com, zytaitano@gmail.com, ads@mvguam.com, Kevin@spbguam.com, dmacaluso@spbguam.com, jtyquiengco@spbguam.com, clynt@spbguam.com, kstone@ite.net, news@guampdn.com, news@spbguam.com, kstokish@gmail.com

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MAILER-DAEMON@mail.networksolutionsemail.com <MAILER-DAEMON@mail.networksolutionsemail.com>
To: senabpalacios@gmail.com

Wed, Feb 2, 2011 at 10:46 AM

Your message did not reach some or all of the intended recipients.

<agla76@aol.com>:

205.188.146.193 does not like recipient.

Remote host said: 550 5.1.1 <agla76@aol.com>: Recipient address rejected: aol.com
Giving up on 205.188.146.193.

--- Below this line is a copy of the message.

Return-Path: <senabpalacios@gmail.com>

Received: (qmail 21743 invoked by uid 78); 2 Feb 2011 00:45:50 -0000

Delivered-To: mvguam.com-therese@mvguam.com

Received: (qmail 21710 invoked by uid 78); 2 Feb 2011 00:45:49 -0000

Received: from unknown (HELO cloudmark1) (10.49.16.98)

by 0 with SMTP; 2 Feb 2011 00:45:49 -0000

Return-Path: <senabpalacios@gmail.com>

Received: from [209.85.161.48] ([209.85.161.48:34689] helo=mail-fx0-f48.google.com)

by cm-mr23 (envelope-from <senabpalacios@gmail.com>)

(ecelerity 2.2.2.41 r(31179/31189)) with ESMTP

id 8117A-10738-C39A84D4; Tue, 01 Feb 2011 19:45:49 -0500

Received: by fxm2 with SMTP id 2so8354461fxm.7

for <multiple recipients>; Tue, 01 Feb 2011 16:45:48 -0800 (PST)

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=gmail.com; s=gamma;

h=domainkey-signature:mime-version:date:message-id:subject:from:to

:content-type;

bh=/qeEvbUd5cBTV6AtMHm6Zcvi0rLjQ1tRkUsGRqzmKgU=;

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DomainKey-Signature: a=rsa-sha1; c=noaws;

d=gmail.com; s=gamma;

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fXEvFu1fxj3VOr1J/RJKJKWgo5mG9MLJ7U2NyZprs3AI3KWheBJ6zmWqllOYQMdNOgon

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MIME-Version: 1.0

Received: by 10.223.96.73 with SMTP id g9mr2288639fan.24.1296607546885; Tue,

01 Feb 2011 16:45:46 -0800 (PST)

Received: by 10.223.120.147 with HTTP; Tue, 1 Feb 2011 16:45:46 -0800 (PST)



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

FACSIMILE TRANSMITTAL SHEET

DATE: February 2, 2011

TO: Pacific Daily News 477-3079 (Attention: Government Meetings)
Marianas Variety 648-2007 (Attention: Community Page)
KUAM/Isla 630 637-9865/9870
Pacific News Center 477-0793
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FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: *SECOND Notice of Public Hearing scheduled for February 7, 2011*

PAGES: 1 (including this sheet)

February 2, 2011

(Pursuant to §8107, Title 5 GCA – 48 hours prior to hearing date)

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Office/Mailing Address: 155 Hesler Place, Hagåtña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

BROADCAST REPORT

TIME : 02/02/2011 11:40
 NAME : SEN. PALACIOS
 FAX : 671-472-5022
 TEL :
 SER.# : G9N282826

PAGE(S)

01

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
02/02	11:29	4773079	28	01	OK	ECM
02/02	11:30	6482007	27	01	OK	ECM
02/02	11:31	6379865	27	01	OK	ECM
02/02	11:32	4770793	27	01	OK	ECM
02/02	11:33	6379870	27	01	OK	ECM
02/02	11:34	4772240	01:31	01	OK	ECM
02/02	11:36	4773982	27	01	OK	ECM
02/02	11:37	4727663	27	01	OK	ECM
02/02	11:38	4776411	27	01	OK	ECM
02/02	11:39	6498883	27	01	OK	ECM

BUSY : BUSY/NO RESPONSE
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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PUBLIC HEARING

9:00 am, Monday, February 7, 2011

I Liheslaturan Guåhan's Public Hearing Room, Hagatña

AGENDA

- **Bill No. 33-31 (COR)** – AN ACT TO REPEAL THE STATUTES OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF THE MAJORITY BY ADDING A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED. – **by Vice Speaker B. J. F. Cruz**
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Office/Mailing Address: 155 Hesler Place, Hagatña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

I MINA' TRENTAI UNO NA LIHESLATURAN GUÅHAN
2011 (First) Regular Session

Bill No. 33-31 (COR)

Introduced by:

B.J.F. Cruz



2011 JAN 18 PM 2:06



**AN ACT TO REPEAL THE STATUTE OF LIMITATION
FOR THE PROSECUTION OF A SEX CRIME
INVOLVING A VICTIM WHO IS UNDER THE AGE OF
THE MAJORITY BY *ADDING* A NEW § 10.16 TO
CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
3 finds that child sexual abuse survivors often are disabled from revealing
4 abuse at the time they suffer it and for many years thereafter. Furthermore,
5 the expiration of applicable statutes of limitation has the effect of barring
6 both civil claims and criminal prosecution of the perpetrators.

7 *I Liheslaturan Guåhan* finds that several state legislatures in the
8 country have already passed or are attempting to enact legislation to open a
9 window for civil claims against such perpetrators. However, as long as the
10 applicable statutes of limitation for criminal prosecution remain in place,
11 there will be a perpetual need to introduce such window legislation in the
12 future.

13 *I Liheslaturan Guåhan* intends to address this by abolishing the statute
14 of limitations for the criminal prosecution of perpetrators for sex crimes
15 against children altogether, thereby serving to protect children from sex

1 crimes and the kind of suffering already being endured by victims who are
2 denied justice and relief under the current legal system.

3 **Section 2.** A new § 10.16 is hereby *added* to Chapter 10 of Title 8,
4 Guam Code Annotated to read:

5 **"§ 10.16 No limitation on Sex Crimes committed against victims**
6 **under the age of the majority.** If the offense is a violation of Chapter
7 25 of Title 9 GCA and the victim was under the age of the majority at
8 the time the offense was committed, a prosecution of the offense may
9 be commenced at any time. This section applies to any such offense
10 *except* an offense the prosecution of which would have been *barred*
11 by § 10.15 of this Chapter on or before enactment of this Act."

12 **Section 3. Effective Date.** This Act shall be effective upon enactment
13 into law.