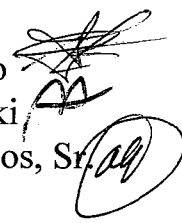


I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN  
2007 (FIRST) Regular Session

Bill No. 119 (EC)

Introduced by:

Ray Tenorio  
F. T. Ishizaki  
A. B. Palacios, Sr.



**AN ACT TO AMEND §§50.54 AND 50.58 OF CHAPTER 50 OF  
8 GCA, RELATIVE TO THE ALLOWING FOR THE  
INDICTMENTS OF UNNAMED PERSONS WHOSE  
INDENTITIES ARE ESTABLISHED BY DNA EVIDENCE.**

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

**Section 1.** Section 50.54 of Chapter 50 of 8GCA is hereby *amended* to  
read:

**§50.54. Form of Indictment: Standards for Indicting.**

(a) An indictment is an accusation in writing, presented by the grand jury to a competent court, charging a person with a felony or a felony and a related misdemeanor.

(b) The grand jury shall find an indictment when from the evidence presented, there is reasonable cause to believe that an indictable offense has been committed and that the defendant committed it.

(c) "Special Fictitious Name Indictment" means an indictment of a person whose name is unknown but whose identity is established to the satisfaction of a grand jury by means of forensic Deoxyribonucleic Acid (DNA) testing of evidence. The caption of a special fictitious name indictment shall include a

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1 fictitious name, such as "John Doe" or "Jane Doe", in place of the name of the  
2 defendant whose true name is unknown.

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4 **Section 2.** Section 50.58 of Chapter 50 of 8GCA is hereby *amended* to  
5 read:

6 **§50.58 Return of Indictment.**

7 An indictment may be found only upon the concurrence of twelve (12) or  
8 more jurors. The indictment shall be returned by the grand jury to a judge in open  
9 court. If the defendant has been arrested and twelve (12) jurors do not concur in  
10 finding an indictment, the foreman shall so report to the court in writing forthwith.

11 When the name of the indicted person is unknown but his or her identity is  
12 established to the satisfaction of the grand by means of forensic Deoxyribonucleic  
13 Acid (DNA) testing of evidence, then such indictment shall be filed by the grand  
14 jury with the court as a special Fictitious Name Indictment. The authority to file a  
15 special fictitious name indictment pursuant to this Section shall be in addition to  
16 any other authority in law for the filing of an indictment when the name of an  
17 indicted person is unknown.