



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

Bill No. 2(LS)

Introduced by:

Ray Tenorio

AN ACT TO ADD A NEW PARAGRAPH “(n)” TO CHAPTER 89.01 AND A NEW §89.12. OF 9 GCA RELATIVE TO ALLOWING THE USE OF ELECTRONIC MONITORING DEVICES INCLUDING *GLOBAL POSITIONING SATELLITE (GPS) TRACKING DEVICES* FOR CONVICTED SEX OFFENDERS.

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

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3 **Section 1.** Title of Chapter 89 of 9 GCA is *amended* to read:

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CHAPTER 89.

5 **“CRIMES AGAINST MINORS, ~~AND~~ SEX OFFENDER REGISTRY AND**
6 **ELECTRONIC MONITORING OF SEX OFFENDERS.”**

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8 **Section 2.** A new Paragraph “(n)” is *added* to 89.01 of Chapter 89 of 9
9 GCA to read:

10 “(n) *Global Positioning Satellite (GPS) Tracking Device* is a device that
11 monitors the location of the person wearing the device by means of the Global
12 Positioning Satellite (GPS) network. These devices could be *active* or *passive*. An
13 *active GPS Tracking Device* transmits location data on a real-time current basis to
14 a central monitoring station. A *passive GPS Tracking Device* collects location data
15 for a specified period of time for upload at a later period of time to a centralized
16 monitoring system.”

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Section 3. A new Section 89.12 is *added* to Chapter 89 of 9 GCA to read:

§89.12. Electronic Monitoring of Sex Offenders. (a) Where a person convicted of a sexual conduct offense is sentenced to a period of probation, the sentencing judge *may* require as a condition of such probation, that the offender wear an electronic monitoring device, to include a *Global Positioning Satellite (GPS) Tracking Device* for any or all of the duration of such probation. Additionally, the judge *may* require that offender bear the cost to purchase or lease the electronic monitoring device.

(b) Where a person convicted of a sexual conduct offense is released on parole from incarceration, the *Territorial Parole Board* *may* require as a condition of such parole, that the offender wear an electronic monitoring device, to include a *Global Positioning Satellite (GPS) Tracking Device* for any or all of the duration of such parole. Additionally, the *Territorial Parole Board* *may* require that offender bear the cost to purchase or lease the electronic monitoring device.