

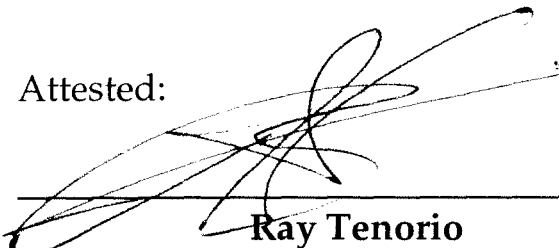
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I MINA'BENTE NUEBI NA LIHESLATURAN GUAHAN
2007 (FIRST) Regular Session


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

This is to certify that **Bill No. 119 (EC), "AN ACT TO AMEND §§50.54 AND 50.58 OF CHAPTER 50 OF TITLE 8 GCA, RELATIVE TO ALLOWING FOR THE INDICTMENTS OF UNNAMED PERSONS WHOSE IDENTITIES ARE ESTABLISHED BY DNA EVIDENCE,"** was on the 20th day of December, 2007, duly and regularly passed.

Attested:

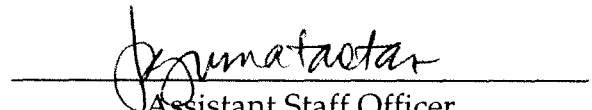


Ray Tenorio
Senator and Secretary of the Legislature



Edward J.B. Calvo
Acting Speaker

This Act was received by *I Maga'lahen Guahan* this 21 day of Dec, 2007, at 1150 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahen Guahan

Date: _____

Public Law No. _____

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

Bill No. 119 (EC)

As amended.

Introduced by:

Ray Tenorio
Frank T. Ishizaki
A. B. Palacios, Sr.
Frank F. Blas, Jr.
James V. Espaldon
Edward J.B. Calvo
Mark Forbes
Judith Paulette Guthertz
J. A. Lujan
Tina Rose Muña Barnes
v. c. pangelinan
R. J. Respicio
David L.G. Shimizu
J. T. Won Pat

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

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

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

4 **“§50.54. Form of Indictment: Standards for Indicting.** (a) An
5 indictment is an accusation in writing, presented by the grand jury to a
6 competent court, charging a person with a felony *or* a felony and a related
7 misdemeanor.

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

4 (c) *Special Fictitious Name Indictment* means an indictment of a
5 person whose name is unknown but whose identity is established to the
6 satisfaction of a grand jury by means of forensic Deoxyribonucleic Acid
7 (DNA) testing of evidence. The caption of a special fictitious name
8 indictment *shall* include a fictitious name, such as “John Doe” *or* “Jane
9 Doe”, in place of the name of the defendant whose true name is unknown.”

10 **Section 2.** §50.58 of Chapter 50 of Title 8 GCA is hereby *amended* to read:

11 “**§50.58. Return of Indictment.** An indictment may be found only
12 upon the concurrence of twelve (12) *or* more jurors. The indictment *shall*
13 be returned by the grand jury to a judge in open court. *If* the defendant has
14 been arrested and twelve (12) jurors do not concur in finding an indictment,
15 the foreman *shall* so report to the court in writing forthwith.

16 When the name of the indicted person is unknown but his *or* her
17 identity is established to the satisfaction of the grand jury by means of
18 forensic Deoxyribonucleic Acid (DNA) testing of evidence, then such
19 indictment *shall* be filed by the grand jury with the Court as a Special
20 Fictitious Name Indictment. The authority to file a special fictitious name
21 indictment pursuant to this Section *shall* be in addition to any other
22 authority in law for the filing of an indictment when the name of an indicted
23 person is unknown.”