



I Mina'trentai Tres na Liheslaturan Guåhan
33rd Guam Legislature

Senator Nerissa Bretania Underwood, Ph.D.
Chairperson, Committee on Early Learning, Juvenile Justice,
Public Education, and First Generation Initiatives

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

MAY 21 2015

VIA: The Honorable Rory J. Respicio *[Signature]*
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 21-33 (COR), As Substituted

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill 21-33 (COR), as substituted, "An Act to ~~amend~~ add § 5106 (a) (d) of Chapter 5, Title 19 Guam Code Annotated Relative to providing discretion to the Office of the Attorney General with regards to the automatic certification of minors as adults for certain crimes, which may be cited as the "Juvenile Justice Reform Act of 2015", sponsored by Senator Brant McCreadie which was referred to the Committee on Early Education, Juvenile Justice, Public Education and First Generation Initiative.

2015 MAY 21 PM 3:28

[Handwritten initials]

Committee votes are as follows:

- 4 TO PASS
- 0 NOT TO PASS
- 4 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Sincerely,

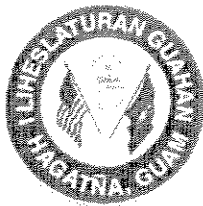
[Signature of Senator Nerissa Bretania Underwood]

Senator Nerissa Bretania Underwood, Ph.D.
Chairwoman

**COMMITTEE REPORT
ON**

**Bill No. 21-33 (COR), As Substituted
Sponsored by Senator Brant McCreadie**

**An Act to ~~amend~~ add § 5106 ~~(a)~~ (d) of Chapter 5,
Title 19 Guam Code Annotated Relative to
providing discretion ~~to the Office of the Attorney
General with regards~~ to the automatic
certification of minors as adults for certain
crimes, which may be cited as the “Juvenile
Justice Reform Act of 2015**



I Mina'trentai Tres na Liheslaturan Guåhan

33rd Guam Legislature

Senator Nerissa Bretania Underwood, Ph.D.

Chairperson, Committee on Early Learning, Juvenile Justice,
Public Education, and First Generation Initiatives

MAY 19 2015

MEMORANDUM

To: All Members

Committee on Early Learning, Juvenile Justice, Public Education and First Generation Initiatives

From: Senator Nerissa Bretania Underwood, Ph.D.

Committee Chairperson

Subject: Committee Report on Bill No. 21-33 (COR), As Substituted

Transmitted herewith is the Committee Report on Bill 21-33 (COR), as substituted, "An Act to ~~amend~~ add § 5106 (a) (d) of Chapter 5, Title 19 Guam Code Annotated Relative to providing discretion to the Office of the Attorney General with regards to the automatic certification of minors as adults for certain crimes, which may be cited as the "Juvenile Justice Reform Act of 2015", sponsored by Senator Brant McCreadie.

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 21-33 (COR), As Introduced
4. Copy of Bill No. 21-33 (COR), As Substituted
5. Public Hearing Sign-in Sheet
6. Copies of Written Testimonies
7. Copy of Fiscal Note Waiver
8. Copy of COR referral Bill No. 21-33 (COR)
9. Notices of Public Hearing
10. Copy of the Public Hearing Agenda

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 do not hesitate to contact my office.

Sincerely,

Senator Nerissa Bretania Underwood, Ph.D.
Chairwoman

155 Hesler Place, Suite 104
Hagåtña, Guam
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Fax: (671) 969-0975




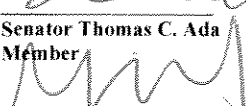



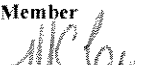
E-mail: senatorunderwood@guamlegislature.org

I MINA' TRENTAI TRES NA LIHESLATURAN GUÁHAN

Committee Voting Sheet

Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives

Bill No. 21-33 (COR), As Substituted "An Act to amend-add § 5106 (a) (d) of Chapter 5, Title 19 Guam Code Annotated Relative to providing discretion to the Office of the Attorney General with regards to the automatic certification of minors as adults for certain crimes, which may be cited as the "Juvenile Justice Reform Act of 2015".

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Nerissa Bretania Underwood, Ph.D. Chairwoman	✓				
Speaker Judith T. Won Pat, Ph.D. Vice Chairwoman					
 Vice Speaker Benjamin J.F. Cruz Member	✓				
 Senator Rory J. Respicio Member	✓ 5-21-15				
Senator Tina Muna Barnes Member			5/19/2015 ✓		
 Senator Thomas C. Ada Member	5/19/15		✓		
 Senator Michael San Nicolas Member			✓		
 Senator Frank Blas Aguon, Jr. Member	5/19/18		✓ 5/19		
Senator Dennis G. Rodriguez Member			✓ 5/19		
Senator V. Anthony Ada Member					
 Senator Brant McCreadie Member	5-20				
Senator Thomas A. Morrison Member					
 Senator Mary Camacho Torres Member	✓ 5/20/15 MKC				



I Mina'trentai Tres na Liheslaturan Guåhan

33rd Guam Legislature

Senator Nerissa Bretania Underwood, Ph.D.

Chairperson, Committee on Early Learning, Juvenile Justice,
Public Education, and First Generation Initiatives

Committee Report

Bill No. 21-33 (COR), An Act to amend § 5106 (a) of Chapter 5, Title 19 Guam Code Annotated Relative to providing discretion to the Office of the Attorney General with regards to the automatic certification of minors as adults for certain crimes, which may be cited as the "Juvenile Justice Reform Act of 2015".

I. OVERVIEW

The Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives convened a public hearing on Monday, March 9, 2015 at 2:00 pm in *I Liheslatura's* public hearing room.

Public Notice Requirements

Notices were disseminated via hand-delivery and e-mail to all senators and all main media broadcasting outlets and newspaper of general circulation on February 27, 2015 (5-Day Notice), and again on March 6, 2015 and March 7, 2015 (48 Hour Notice).

(a) Committee Members and Senators Present

Senator Nerissa Bretania Underwood, Ph.D., Chair
Vice Speaker BJ Cruz, Member
Senator Frank B. Aguon, Jr., Member
Senator Brant McCreadie, Member
Senator Mary C. Torres
Senator James Espaldon

(b) Appearing before the Committee

Mr. Eric Miller, Executive Director, Public Defender Service Corporation
Ms. Mikaela Henderson, Attorney, Public Defender Service Corporation
Ms. Elizabeth Barrett-Anderson, Attorney General of Guam
Ms. Carol Hinkle-Sanchez, Deputy Attorney General, Office of the Attorney General

155 Hesler Place, Suite 104
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Tel: (671) 969-0973/0974
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E-mail: senatorunderwood@guamlegislature.org

(c) Written Testimonies Submitted

Ms. Carol Hinkle-Sanchez, Deputy Attorney General, Office of the Attorney General, concurred
by Elizabeth Barrett-Anderson, Attorney General of Guam
Mr. Joshua F. Tenorio, Administrator of the Courts, Judiciary of Guam
Ms. Mikaela Henderson, Attorney, Public Defender Service Corporation

II. COMMITTEE PROCEEDINGS

Bill No. 21-33 Verbatim

Chairwoman Senator Nerissa Bretania Underwood: So let's move on to Bill No. 21-33 and I would like to allow Senator McCreadie to offer a brief remark on the bill.

Senator Brant McCreadie: Thank you Madame Chair for holding today's hearing. First and foremost I would like to thank the panel, the attorney general's office and the public defender as well. Bill 21-33, also known as the Juvenile Justice Reform Act is a bill intended to provide youth offenders ages 16 and up through their 18th birthday, a chance to avoid automatic certification as an adult for certain crimes. In the current law, any child ages 16 up to the 18th birthday that is charged with any second degree or first degree felony is automatically certified as an adult and has their case tried in an adult court. Bill 21-33 allows the Attorney General's Office discretion in waiving the automatic certification if it is in the best interest of the child. Now this is not a get out of jail free card for any child or any offender, however this may start a process to what I think would be restorative justice. So I thank you Madame Chair for the opportunity to speak on the bill and having a public hearing, and I look forward to the panel's suggestions as well. Thank you.

Chairwoman Senator Nerissa Bretania Underwood: Thank you Senator McCreadie. Okay let's start. We have Michaela Henderson, Eric Miller, Attorney General Barrett-Anderson, and we have Carol Sanchez. So let's start with Attorney General.

Attorney General Elizabeth Barrett-Anderson: I did not sign up first but thank you for the courtesy because I do have a 3 o'clock meeting. The Office of the Attorney General and I support the bill; I support the overall purpose and intent of the bill. I do want to indicate that my oral testimony is going to be a little bit different than my written testimony based on a review of the Public Defender's concerns here as well as some discussions with the Vice Speaker.

I certainly had many situations where a 16 year old was charged with first and 2nd degree felony and was then certified automatically as an adult. I support automatic certification, and I am not asking for that to be changed. But I am asking the lawmakers to consider legislation whether in the form of Sen. McCreadie's bill or in a reform of a substitute language to allow the judges, the prosecutor's office and the defense counsel in behalf of the defendant to seek other avenues because at age 16 you still have to look at the best interest of that child. I've been a Family Court

Judge for half of my career as a judge and I have seen many cases in front of me where I found that the adult prosecution juvenile system is not predisposed to really resolve the issues of a 16 year old minor.

Without giving any names, I will give you an example. Young man of age 16 was drunk driving and in the passenger's seat was his best friend. Young man got into an accident and his best friend died. Under automatic certification, he was charged with a vehicular homicide. That case came to me, and during the course of the criminal case, it was determined that the young 16 year old man had a severe alcohol problem at age 16. I was at the time also operating juvenile drug court and we needed to get this man into the juvenile drug court. The environment that the young man came from was an alcoholic home. Is it possible to cure somebody at age 16 from alcohol? It's as hard as it is to cure an adult. Alcohol is not age specific, and the difficulties of alcohol treatment are the same whether you are young or adult. It took me over a year working with the Attorney General's Office and the defense counsel to come to an agreement to allow that minor to go into family court.

It is possible right now to do that, but someone gave me a perfect example of what you call that process because there is no legal process for it. Once you are certified up, you are automatically certified, and there is no process going back down. It does not exist in the statute and that is why we are here. I love the term; it was called the "MacGyver process," and it was how we can do it despite the fact that there is nothing in the statute that allows us to do it. Yet we know that is the best process in this situation. Not every situation is going to fall into that. And so what I'd like to see the law do is that, on motion of the Adult Trial Judge, on motion of the defense counsel, on motion of the prosecutor that they take certain factors into consideration.

In fact, I have to compliment public defender Michaela Henderson for coming up with her research in the Illinois process that sets out the criteria. That's great and we support that. We support the criteria that there would be a process that goes down into the family court judge. The family court makes a determination on how this matter can be "MacGyver" down or de-certified down. There are a lot of ins and outs here. Well, judges have assignments, the Clerk of Courts has a process to follow so that this is a matter that if we can get to a core agreement and I think we do. Michaela said "Oh how nice the Public Defender and the Attorney General actually agreed on something today", which is wonderful! I'd like to see that all the time because I think that there is really not much difference in terms of the best interest of the criminal justice system between what the public defender does and we do at the prosecution. If we could go into the core issue then to a piece of legislation that accomplishes that, then perhaps let the Superior Court of Guam deal with the mechanisms between the trial court and the Family Court Judge on how it goes and what is the motion and what is the process. But we do support a process in law not just "MacGyver", but in law that permits the Trial Judge, the prosecutor and the defense counsel to make sure that those considerations are heard and decided by a Family Court Judge. Thank you very much.

Chairwoman Senator Nerissa Bretania Underwood: Thank you Attorney General. We now have Michaela Henderson.

Ms. Michaela Henderson: Today we agree; I am going to mark down March 9, 2015. But we are an adversarial system which means that for juveniles to have justice we really need to have input from the court, from the child's attorney, and from the a Attorney General's Office. My problem with the proposed act is the way it is. That it does not give any discretion at all to the courts and I don't think that we can have justice for the juvenile if we are only listening to the voice of one of the 3 parts that we need.

By way of background, I agree, and I think we are in agreement about needing an amendment here. When you look at the background and in the way that the 50 states are treating juveniles and the certification for court; 49 out of the 50 states have a process which presumes juveniles are going to be heard in the juvenile court and if there is a unique situation or circumstances they can bump them up to adult court. Forty-three states say that you've got to have a hearing to get someone in the adult court and 39 states say that you have to consider factors like the nature and background, the intellectual maturities of the child and how serious the offense is. You consider all these factors together to determine whether or not a child can be heard in an adult court.

In Guam we are only the place besides Connecticut that got this blunt and automatic certification. We don't have factors or a hearing or any court discretion, and so I support an amendment that would allow for the situation where we can all agree. There are 2 other components that I would ask for justice reform for juveniles to include and the first is the codification of a case called *Miller vs. Alabama*, which is a 2012 Supreme Court case which says that "no child can serve a sentence for life without parole in any situation because it is cruel and unusual punishment." We still have a Guam law for aggravated murder that does have a mandatory sentence of life without parole. Under *Miller vs. Alabama* that would be an unconstitutional sentence. Other states have similar statutes that codified *Miller v. Alabama*. It states that except for juveniles, we can't have a life without parole.

The 2nd issue for juvenile justice reform is that I think we really need to have a statutory rape law and that is something that I feel strongly about. If I have to go door to door with my PowerPoint presentation, I will. I think there are 6 major problems here that we treat teenagers the same as we treat dangerous adult pedophiles. But for the automatic certification issue, I would ask that you have an amendment here. I like the Illinois statutes because they do a real good job of setting forth factors that everyone can look at. Frankly, I think that the child's attorney is the best place to advocate because we are in the place to gather information about the background, about what is going on in the school and whether or not someone can be a man enough for rehabilitation. The Supreme Court says that they can't tell the difference between a child whose got transient immaturity that is committing an offense versus a rare child that can't be rehabilitated and is irreparably corrupt. So, here to make that choice in Guam, I would ask that we weigh in the

voices, give the court discretion, allow us to do our job and advocate for the child and allow the Attorney General's Office to do their part so that we can truly have justice where we have all 3 voices at the table.

Chairwoman Senator Nerissa Bretania Underwood: Thank you very much Ms. Henderson. We now have Mr. Miler.

Mr. Eric Miller: Thank you. I have been representing juveniles for 40 some years even before Vice Speaker Cruz, some years ago. There is another angle to this whole issue that I think the Legislature needs to consider. Across the country, there is a new wave of considering sentencing called Smarter Sentencing and that is to look at some social science and put some analysis into how you are sentencing people. It is focused mostly on adults and the reason why I raised it here is because there is a physical note to this that we have not discussed. If you take a 16 year old, and you automatically certify them for some of the offenses that have mandatory minimum time, they could easily rack up 5, 10, 15 years that they have to do by statute that they can't suspend. If you take a 16 year old and put him in prison for 10 years when he gets out you have a fairly well-trained criminal going back to community. If you take a 16 year old and put him through family court where he receives treatment, medication, counseling, and some other support factors, then you will have a young person who is back in the community who is not draining your resources at DOC and is not being trained by his now peers, his role model that are now lifers at DOC. You will be creating certain monsters that you have to deal with later if you don't think smart now and say, "here we have a young person in our community that we can actually turn around and now we can't do it because by statute the court does not have any discretion." Once they are automatically certified and convicted, they may be facing 5 or 10, 15 years of unuspendable sentences. This would give the court some opportunity to put some smart thinking into how you deal with your younger offenders. Thank you.

Chairwoman Senator Nerissa Bretania Underwood: Okay thank you. Do we have anyone who would like to make a comment? Or ask questions? Yes Sen. McCreadie.

Senator Brant McCreadie: Not really a question, just thank you guys for your testimonies. What we can do Madame Chair if you will allow us is that my office will work with you guys with those amendments and let's get the other branches involved as well, so the discretion is passed out between the Attorney General, the Public Defender, and the courts. Let's move into that direction, but I have no problem with taking your amendments and including them in the bill to make it stronger and the intent to be a clearer and more specific. So thank you very much.

Chairwoman Senator Nerissa Bretania Underwood: Speaker BJ Cruz.

Vice-speaker BJ Cruz: Thank you very much. Until today I did not realize that it has been 20 years since I sat as a Family Court Judge. Thirty years ago, I sat as a Family Court Judge but it has been 20 years since I was a Family Court Judge. I left family court in 1995 to do general

jurisdiction and I didn't realize that in the interim – 20 years – that the Legislature went to this automatic certification. I always thought that there was a process that we had where we could – when you were practicing before me Mr. Miller - if the person was encourageable we would be able to certify him out. I didn't realize that there was in this process still until I spoke to General Barrett Anderson and she mentioned that the process was no longer there. I didn't realize how much power we had way back and since has been lost.

Unfortunately, this automatic certification – but we are not going to get into that at this point because I think we will all disagree on that and we will all disagree on your other parts; your third concern. But I think we all can agree that we need to address statutorily a process by which we can address the needs of a minor. And it would seem to me that at least with my discussion with the General and Ms. Sanchez that the Family Court Judge is the person who is very intimately knowledgeable about the way to be able to review this. And you mentioned this is a 3- legged stool that we need the Judiciary involved and the fact that the Judiciary is not here today Madame Chair I ask that we put off reporting this bill out until we get testimony from the judiciary.

I do know that you, Senator Aguon and Senator McCreadie may have been invited to the Judiciary. The Chief Justice in his last state of Judiciary Address made Juvenile Reform as the theme for this year. He has had some meetings, he's had the Robert F. Kennedy people out here to try to deal with these social science issues that you mentioned, Mr. Miller and trying to be proactive in bringing us to the 21st century in dealing with juvenile justice.

I know that the Chief Justice, Administrator of the Court, the Clerk of the Court and everybody is away at the Pacific Judiciary Conference, so they are not here today. I really would like to take the opportunity for the court to weigh in to try to figure out a way that we can do this. I want to thank Ms. Sanchez for coming with the Attorney General today to discuss the proposal that was proffered by Ms. Henderson about wanting to do the Illinois system. Those were the criteria that we used 30 years ago when you were appearing before me Mr. Miller of being able to determine whether or not we kept them down or we sent them up and so now it is the other way. It's trying to decide to send them down. But my concern was having an adult judge trying to determine whether or not the Juvenile Court had any process. It would seem to me that if the motion was made before a Juvenile Judge or the special proceeding was instituted before the Juvenile Judge that the Juvenile Court Judge would be able to say "I believe that there is a process with the IEPs, with all the treatment teams put together that we can deal with the issue of the child."

I would like the opportunity to be able to get the court involved in this and since I know that this is the signature theme for the Chief Justices' year, I think it is imperative that we get the Judiciary involved in this and so I'd like to ask that we delay action on this until we get the Judiciary and maybe have them in on a roundtable or something to discuss the way that we can statutorily "MacGyver" this into statute because we should not be creating things that are not in

long a time ago but if we can all get together I think we can work together for the best interest of the minor and with the Chief Justice' new program for this year.

This fits perfectly into his program that he has everybody coming out for and I think is currently being discussed as we speak at the Pacific Judiciary Conference. It's all about juvenile justice so I'd like to ask if we could wait until they all get back, then will take this up again.

I thank all of you and I thank you for contacting my office with your testimonies. General, thank you very much for coming today to discuss the Public Defender's suggestion and for bringing me into the 21st century. I am still living in 1995.

Chairwoman Senator Nerissa Bretania Underwood: Senator Torres and Sen. Espaldon do you have anything too? Okay, I thank you very much too and I really am in agreement that before we make a decision about the lives of our children especially our youth that we take everything into consideration. It's good to see two groups that otherwise on opposite ends working together in behalf of our youths. Thank you so much everyone.

Thank you very much and Si Yu'os Ma'ase for your presence and public testimony this afternoon. The Committee will continue to accept testimony until 5:00pm, Friday March 13, 2015. Testimonies may be submitted to the Guam Legislature, 155 Hesler Place Hagatna, via email at cipo@guamlegislature.org or via fax at 969-0975. The time is 2:55pm.

This public hearing is now adjourned.

III. FINDINGS & RECOMMENDATIONS

The Committee on Early Education, Juvenile Justice, Public Education and First Generation Initiatives hereby reports Bill No. 21-33 (COR), as substituted with the recommendation

TO PASS.

MINA' TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 21-33 (over)

Introduced by:


Brant T. McCreadie

AN ACT TO AMEND § 5106 (a) OF CHAPTER 5,
TITLE 19 GUAM CODE ANNOTATED RELATIVE
TO PROVIDING DISCRETION TO THE OFFICE OF
THE ATTORNEY GENERAL WITH REGARDS TO
THE AUTOMATIC CERTIFICATION OF MINORS
AS ADULTS FOR CERTAIN CRIMES, WHICH MAY
BE CITED AS THE "JUVENILE JUSTICE REFORM
ACT OF 2015".

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Short Title. This act shall be cited as the "*Juvenile Justice Reform*
3 *Act of 2015.*"

4 Section 2. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that
5 current Guam law provides that any child of the age of sixteen (16) years and older,
6 who is charged with a second or first degree felony is automatically certified as an
7 adult. Although many times appropriate, there are instances where the Office of the
8 Attorney General has seen that the charged minor would greatly benefit from being
9 charged with the respective second or first degree felony, but have their criminal
10 proceedings be adjudicated in Family Court. Unfortunately, no mechanism currently
11 exists in Guam law to provide Family Court jurisdiction for minors aged sixteen and
12 older who are charged with second and first degree felonies.

1 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish prosecutorial
2 discretion to provide Family Court the jurisdiction of children aged sixteen (16) years
3 and older who are charged with second or first degree felonies by amending § 5106
4 (a) of Chapter 5, Title 19 Guam Code Annotated.

5 **Section 3.** § 5106 (a) of Chapter 5, Title 19 Guam Code Annotated is hereby
6 *amended* to read:

7 **“§ 5106. Certification for Criminal Proceedings.**

8 (a) If a child is sixteen (16) years of age or older at the time he committed the
9 offense for which he is charged, and if the conduct is a misdemeanor or a felony of the
10 third degree, and if the court after full investigation deems it contrary to the best
11 interest of such child or of the public to retain jurisdiction, the court may, in its
12 discretion, certify such child for proper criminal proceedings to any court which
13 would have trial jurisdiction of such offense if committed by an adult. A child who is
14 sixteen (16) years of age or older at the time he committed the offense for which he is
15 charged shall automatically be charged as an adult for any act which would constitute
16 a felony of the first or second degree along with any acts which are misdemeanors or
17 felonies of the third degree which are part of the same scheme of criminal activity as
18 the felony, unless, if after full investigation, the adult prosecution division of the
19 Office of the Attorney General deems it contrary to the best interest of such child, or
20 of the public, to automatically certify the child as an adult. In those cases the
21 automatic certification requirement shall be waived and the child shall be transferred
22 to the Family Division of the Office of the Attorney General for prosecution of the
23 first or second degree felony, along with any acts which are part of the same scheme
24 of criminal activity as the felony for appropriate criminal proceedings to be brought
25 before the Family Court. If a child is under sixteen years of age at the time he
26 committed the offense for which he is charged, and if the conduct would constitute an

1 offense under 9 GCA Chapter 16 (Homicides), and if the court after full investigation
2 deems it contrary to the best interest of such child or of the public to retain
3 jurisdiction, the court may, in its discretion, certify such child for proper criminal
4 proceedings to any court which would have trial jurisdiction of such offense if
5 committed by an adult. If a child is certified as an adult, the same judge shall not, in
6 turn preside over the criminal proceedings against such child.”

7 **Section 4. Effective Date.** This act shall be effective immediately upon
8 enactment.

9 **Section 5. Severability.** *If* any provision of this Law or its application to any
10 person or circumstance is found to be invalid or contrary to law, such invalidity shall
11 *not* affect other provisions or applications of this Law which can be given effect
12 without the invalid provisions or application, and to this end the provisions of this
13 Law are severable.

14

MINA' TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 21-33 (COR)

As Substituted by the Committee on Early Learning,
Juvenile Justice, Public Education, and First
Generation Initiatives

Introduced by:

Brant T. McCreadie

**AN ACT TO ADD § 5106 (d) OF CHAPTER 5, TITLE
19 GUAM CODE ANNOTATED RELATIVE TO
PROVIDING DISCRETION TO THE AUTOMATIC
CERTIFICATION OF MINORS AS ADULTS FOR
CERTAIN CRIMES, WHICH MAY BE CITED AS
THE "JUVENILE JUSTICE REFORM ACT OF 2015".**

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

2 **Section 1. Short Title.** This act shall be cited as the "*Juvenile Justice Reform*
3 *Act of 2015.*"

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
5 current Guam law provides that any child of the age of sixteen (16) years and older,
6 who is charged with a second or first degree felony is automatically certified as an
7 adult. Although many times appropriate, there are instances where the Office of the
8 Attorney General has seen that the charged minor would greatly benefit from being
9 charged with the respective second or first degree felony, but have their criminal
10 proceedings be adjudicated in Family Court. Unfortunately, no mechanism currently
11 exists in Guam law to provide Family Court jurisdiction for minors aged sixteen and
12 older who are charged with second and first degree felonies.

13 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish prosecutorial
14 discretion to provide Family Court the jurisdiction of children aged sixteen (16) years

1 and older who are charged with second or first degree felonies by adding § 5106 (d) of
2 Chapter 5, Title 19 Guam Code Annotated.

3 **Section 3.** §5106 (d) of Chapter 5, Title 19 Guam Code Annotated is hereby
4 *added* to read:

5 **“§ 5106. Certification for Criminal Proceedings.**

6 “(d) Notwithstanding subsection (a) of this Section, on motion of either the
7 prosecutor or defendant, or *sua sponte* by the Court, the complaint or indictment may
8 be transferred to the jurisdiction of the Family Court upon a finding based on clear
9 and convincing evidence that the best interest of the minor would be amenable to the
10 care, treatment, and training programs available through the facilities of the juvenile
11 court based on an evaluation of the following:

12 (1) The age of minor;

13 (2) The history of the minor, including:

14 (i) Any previous delinquent or criminal history of the minor,

15 (ii) Any previous abuse or neglect history of the minor, and

16 (iii) Any mental health, physical or educational history of the minor, or
17 a combination of these factors;

18 (3) The circumstances of the offense, including:

19 (i) The seriousness of the offense;

20 (ii) Whether the minor is charged through accountability;

21 (iii) Whether there is evidence the offense was committed in an
22 aggressive and premeditated manner;

23 (iv) Whether there is evidence the offense cause seriously bodily harm;

24 (v) Whether there is evidence the minor possessed a deadly weapon;

1 (4) The advantages of treatment within the juvenile justice system including
2 whether there are facilities or programs, or both, particularly available in the
3 juvenile system;

4 (5) Whether the security of the public requires sentencing under Title 9,
5 Chapter 80 of the Guam Code Annotated;

6 (6) The minor's history of services, including the minor's willingness to
7 participate meaningfully in available services;

8 (7) Whether there is a reasonable likelihood that the minor can be rehabilitated
9 before the expiration of the juvenile court's jurisdiction;

10 (8) The adequacy of the punishment or services.

11 In considering these factors, the court shall give greater weight to the seriousness of
12 the alleged offense and the minor's prior record of delinquency than to the other
13 factors listed in this subsection"

14 **Section 4. Effective Date.** This act shall be effective immediately upon enactment.

15 **Section 5. Severability.** *If* any provision of this Law or its application to any
16 person or circumstance is found to be invalid or contrary to law, such invalidity shall
17 *not* affect other provisions or applications of this Law which can be given effect
18 without the invalid provisions or application, and to this end the provisions of this
19 Law are severable.

MINA' TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 21-33 (COR)

As Substituted by the Committee on Early Learning,
Juvenile Justice, Public Education, and First
Generation Initiatives

Introduced by:

Brant T. McCreadie

**AN ACT TO AMEND ADD § 5106 ~~(a)~~ (d) OF
CHAPTER 5, TITLE 19 GUAM CODE ANNOTATED
RELATIVE TO PROVIDING DISCRETION ~~TO THE~~
~~OFFICE OF THE ATTORNEY GENERAL WITH~~
~~REGARDS TO THE AUTOMATIC CERTIFICATION~~
OF MINORS AS ADULTS FOR CERTAIN CRIMES,
WHICH MAY BE CITED AS THE “JUVENILE
JUSTICE REFORM ACT OF 2015”.**

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

2 **Section 1. Short Title.** This act shall be cited as the “*Juvenile Justice Reform*
3 *Act of 2015.*”

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
5 current Guam law provides that any child of the age of sixteen (16) years and older,
6 who is charged with a second or first degree felony is automatically certified as an
7 adult. Although many times appropriate, there are instances where the Office of the
8 Attorney General has seen that the charged minor would greatly benefit from being
9 charged with the respective second or first degree felony, but have their criminal
10 proceedings be adjudicated in Family Court. Unfortunately, no mechanism currently
11 exists in Guam law to provide Family Court jurisdiction for minors aged sixteen and
12 older who are charged with second and first degree felonies.

1 Therefore, it is the intent of *I Liheslaturan Guåhan* to establish prosecutorial
2 discretion to provide Family Court the jurisdiction of children aged sixteen (16) years
3 and older who are charged with second or first degree felonies by ~~amending~~ adding §
4 5106 (a) ~~(d)~~ of Chapter 5, Title 19 Guam Code Annotated.

5 **Section 3.** §5106 (a) (d) of Chapter 5, Title 19 Guam Code Annotated is
6 hereby ~~amended~~ added to read:

7 **“§ 5106. Certification for Criminal Proceedings.**

8 ~~(a) If a child is sixteen (16) years of age or older at the time he committed the~~
9 ~~offense for which he is charged, and if the conduct is a misdemeanor or a felony of the~~
10 ~~third degree, and if the court after full investigation deems it contrary to the best~~
11 ~~interest of such child or of the public to retain jurisdiction, the court may, in its~~
12 ~~discretion, certify such child for proper criminal proceedings to any court which~~
13 ~~would have trial jurisdiction of such offense if committed by an adult. A child who is~~
14 ~~sixteen (16) years of age or older at the time he committed the offense for which he is~~
15 ~~charged shall automatically be charged as an adult for any act which would constitute~~
16 ~~a felony of the first or second degree along with any acts which are misdemeanors or~~
17 ~~felonies of the third degree which are part of the same scheme of criminal activity as~~
18 ~~the felony, unless, if after full investigation, the adult prosecution division of the~~
19 ~~Office of the Attorney General deems it contrary to the best interest of such child, or~~
20 ~~of the public, to automatically certify the child as an adult. In those cases the~~
21 ~~automatic certification requirement shall be waived and the child shall be transferred~~
22 ~~to the Family Division of the Office of the Attorney General for prosecution of the~~
23 ~~first or second degree felony, along with any acts which are part of the same scheme~~
24 ~~of criminal activity as the felony for appropriate criminal proceedings to be brought~~
25 ~~before the Family Court. If a child is under sixteen years of age at the time he~~
26 ~~committed the offense for which he is charged, and if the conduct would constitute an~~

1 ~~offense under 9 GCA Chapter 16 (Homicides), and if the court after full investigation~~
2 ~~deems it contrary to the best interest of such child or of the public to retain~~
3 ~~jurisdiction, the court may, in its discretion, certify such child for proper criminal~~
4 ~~proceedings to any court which would have trial jurisdiction of such offense if~~
5 ~~committed by an adult. If a child is certified as an adult, the same judge shall not, in~~
6 ~~turn preside over the criminal proceedings against such child.”~~

7 “(d) Notwithstanding subsection (a) of this Section, on motion of either the
8 prosecutor or defendant, or *sua sponte* by the Court, the complaint or indictment may
9 be transferred to the jurisdiction of the Family Court upon a finding based on clear
10 and convincing evidence that the best interest of the minor would be amenable to the
11 care, treatment, and training programs available through the facilities of the juvenile
12 court based on an evaluation of the following:

- 13 (1) The age of minor;
- 14 (2) The history of the minor, including:
- 15 (i) Any previous delinquent or criminal history of the minor,
- 16 (ii) Any previous abuse or neglect history of the minor, and
- 17 (iii) Any mental health, physical or educational history of the minor, or
- 18 a combination of these factors;
- 19 (3) The circumstances of the offense, including:
- 20 (i) The seriousness of the offense;
- 21 (ii) Whether the minor is charged through accountability;
- 22 (iii) Whether there is evidence the offense was committed in an
- 23 aggressive and premeditated manner;
- 24 (iv) Whether there is evidence the offense cause seriously bodily harm;
- 25 (v) Whether there is evidence the minor possessed a deadly weapon;

1 (4) The advantages of treatment within the juvenile justice system including
2 whether there are facilities or programs, or both, particularly available in the
3 juvenile system;

4 (5) Whether the security of the public requires sentencing under Title 9,
5 Chapter 80 of the Guam Code Annotated;

6 (6) The minor's history of services, including the minor's willingness to
7 participate meaningfully in available services;

8 (7) Whether there is a reasonable likelihood that the minor can be rehabilitated
9 before the expiration of the juvenile court's jurisdiction;

10 (8) The adequacy of the punishment or services.

11 In considering these factors, the court shall give greater weight to the seriousness of
12 the alleged offense and the minor's prior record of delinquency than to the other
13 factors listed in this subsection"

14 **Section 4. Effective Date.** This act shall be effective immediately upon
15 enactment.

16 **Section 5. Severability.** *If* any provision of this Law or its application to any
17 person or circumstance is found to be invalid or contrary to law, such invalidity shall
18 *not* affect other provisions or applications of this Law which can be given effect
19 without the invalid provisions or application, and to this end the provisions of this
20 Law are severable.



Mina'trentai Tres na Liheslaturan Guahan
33RD GUAM LEGISLATURE

Senator Nerissa Bretania Underwood, Ph.D.
Chairperson, Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiative

March 9, 2015
Bill No. 21-33 (COR)

SIGN UP SHEET

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E. Bennett-Anderson	OAG	475-3324		✓	✓		
Carol Hinkle Sanchez	OAG	"		-	-		-



Office of the Attorney General of Guam

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March 6, 2015

Honorable Nerissa Bretania Underwood, Ph.D.
Senator, 33rd Guam Legislature
Chairperson, Committee on Early Learning, Juvenile Justice,
Public Education and First Generation Initiatives
155 Hesler Street
Hagatna, Guam 96910

Re: **Written Testimony on Bill No. 21-33**

Hafa Adai Senator Underwood,

Thank you for the opportunity to provide testimony concerning Bill No. 21-33. The Office of the Attorney General fully supports Bill No. 21-33, referred to as the "Juvenile Justice Reform Act of 2015," which seeks to amend §5106(a) of Chapter 5, Title 19 Guam Code Annotated, relative to providing discretion to the Office of the Attorney General with regards to the automatic certification of minors as adults for certain crimes.

The Office of the Attorney General worked closely with *I Liheslaturan Guåhan* to amend this current law to ensure that our office would be provided with the necessary prosecutorial discretion to make determinations, on a case-by-case basis, of criminal matters involving juveniles who are 16 years of age or older, but whom are under 18, who would generally be charged as juveniles under the Family Court Act, but for the fact that they committed a serious criminal offense constituting a first or second degree felony, which under our current statute would require that these juveniles be automatically charged as an adult by the Prosecution Division.

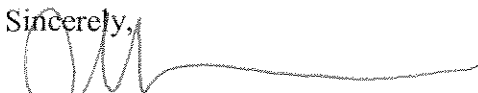
Our office supports this legislation because we believe that the Prosecution Division should be afforded the discretion with regards to any cases falling under this statutory provision to determine, on a case-by-case basis, what serves the best interest of the public and what will serve the best interest of the juvenile offender. There is no question that individuals who commit the most serious offenses, that rise to a first or second degree felony, to include juveniles who commit these kinds of crimes, should be held accountable for their conduct and prosecuted to the fullest extent as adults, especially where the juvenile offender

has a criminal history, or where a juvenile offender totally disregards the law, and has comprised the safety of the community, or has caused serious bodily injury or even death to another person. Adult prosecution should be automatic in these kinds of cases, as the current law permits.

But our office also understands that there exists many circumstances that falls within the purview of the automatic certification statute that warrants the need for a prosecutor to be able to use his or her discretion to “drop-down” the case to the Family Division for appropriate juvenile prosecution under the Family Court Act, such as cases involving a “Romeo-and-Juliet” situation, or cases wherein a child was used by an adult family member to commit an offense or partake in some criminal activity, and the juvenile only did so as a result of threat, force or intimidation. Prosecutors should be able to look at each case, individually, along with other factors, like whether the juvenile has any previous known criminal history, or whether the juvenile’s involvement was minimal or the juvenile was not as culpable as his or her co-actors, and decide what will serve the best interest to the community and to the juvenile. This amendment seeks to give to the prosecutors the discretion needed to ensure the best interest of all parties are taken into account. It will allow a prosecutor to defer to the Family Division these kinds of cases, where the juvenile will best be served within the Family Court jurisdiction so that the juvenile will be able to receive the proper rehabilitative services and treatment needed in order to restore that juvenile into the community as a law-abiding citizen. This kind of discretion allows for our office to embed within the criminal justice system a restorative justice approach to cases involving juveniles that our office believes will benefit from the rehabilitative approach, and continues to hold the offenders fully accountable for their conduct.

Our office fully supports this legislation, and we believe that it is necessary in the interest of justice. Thank you for the opportunity to provide this written testimony on Bill No. 21-33. Please do not hesitate to contact me if you have questions about this matter.

Sincerely,



CAROL HINKLE-SANCHEZ

Deputy Attorney General

Family/Juvenile Division

CONCURRED BY:



ELIZABETH BARRETT-ANDERSON

Attorney General of Guam

Bill No. 21-33

Submitted by: Office of the Attorney General of Guam

Section 1. A new subsection (b) is added to §5106, Chapter 5, Title 19 Guam Code Annotated, to read:

“§ 5106. Certification for Criminal Proceedings.

(b) On motion of a trial judge, prosecutor, or defendant, the case may be transferred to the jurisdiction of the Family Court upon a finding based on clear and convincing evidence that the minor would be amenable to the care, treatment, and training programs available through the facilities of the juvenile court based on an evaluation of the following:

- i. The age of minor;
- ii. The history of the minor, including:
 - A. Any previous delinquent or criminal history of the minor,
 - B. Any previous abuse or neglect history of the minor, and
 - C. Any mental health, physical or educational history of the minor, or a combination of these factors;
- iii. The circumstances of the offense, including:
 - A. The seriousness of the offense;
 - B. Whether the minor is charged through accountability;
 - C. Whether there is evidence the offense was committed in an aggressive and premeditated manner;
 - D. Whether there is evidence the offense cause seriously bodily harm;
 - E. Whether there is evidence the minor possessed a deadly weapon;
- iv. The advantages of treatment within the juvenile justice system including whether there are facilities or programs, or both, particularly available in the juvenile system;
- v. Whether the security of the public requires sentencing under Title 9, Chapter 80:

- A. The minor's history of services, including the minor's willingness to participate meaningfully in available services;
- B. Whether there is a reasonable likelihood that the minor can be rehabilitated before the expiration of the juvenile court's jurisdiction;
- C. The adequacy of the punishment or services.

In considering these factors, the court shall give greater weight to the seriousness of the alleged offense and the minor's prior record of delinquency than to the other factors listed in this subsection."



Judiciary of Guam



Administrative Office of the Courts
Guam Judicial Center • 120 West O'Brien Dr • Hagatna Gu 96910
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ION. ROBERT J. TORRES
CHIEF JUSTICE

HON. ALBERTO C. LAMORENA III
PRESIDING JUDGE

JOSHUA F. TENORIO
ADMINISTRATOR OF THE COURTS

March 31, 2015

Senator Nerissa B. Underwood
I Mina Trentai' Tres Na Lihelsaturan Guahan
Chairperson
Committee on Early Learning, Juvenile Justice, Public Education
and First Generation Initiatives
155 Hesler Place
Hagåtña, Guam 96910

RE: Bill 21-33(COR)


Hafa Adai Chairperson Underwood,

Thank you for the opportunity to submit testimony in FAVOR of Bill 21-33(COR), *An Act to Amend § 5106(a) of Chapter 5, Title 19 Guam Code Annotated Relative to Providing Discretion to the Office of the Attorney General with Regards to the Automatic Certification of Minors as Adults for Certain Crimes, which may be Cited as the "Juvenile Justice Reform Act of 2015."* The Judiciary supports this piece of proposed legislation.

As Chief Justice Torres noted in the State of the Judiciary address last May, paramount to the mission of delivering justice is ensuring that juveniles who become involved in the system are treated fairly. To that end, the Judiciary is in the process of obtaining tools to properly assess the risks and needs of justice-involved juveniles. Currently, juveniles at least 16 years of age are automatically certified as adults when charged with acts constituting felonies of the first or second degree. Bill 21-33(COR) will provide to the prosecuting attorney some measure of discretion to determine the circumstances under which a minor is tried as an adult, rather than being governed by a rigid statutory obligation.

Bill 21-33(COR) would complement the work that is being done at the Judiciary to reform juvenile justice practices, including the manner in which the Judiciary supervises juvenile probationers.

Senseremente,


JOSHUA F. TENORIO
Administrator of the Courts

Cc: Senator Nerissa Bretania Underwood, Ph.D.

Date: 6/3/15

Time: 6:10 PM

Received by: [Signature]

cc: Senator Brant T. McCreadie



PUBLIC DEFENDER SERVICE CORPORATION
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March 6, 2015

Honorable Benjamin J.F. Cruz
Vice-Speaker, Guam Legislature
Suite 107
155 Hesler Place
Hagatna, Guam 96910

RE: Concerns with Bill No. 21-33 (Juvenile Justice Reform Act)


Dear Vice-Speaker Cruz,

I have concerns with Bill No. 21-33, which is the proposed “Juvenile Justice Reform Act of 2015” (“the proposed Act”). As an assistant public defender, I am troubled by the consequences of Guam’s current “automatic certification” law and agree with Senator McCreddie that there should be a mechanism that allows minors charged with first and second degree felonies to be adjudicated in the Family Court. However, the only situation contemplated by the proposed Act is a situation in which the Assistant Attorney General believes that a minor should be adjudicated in Family Court and uses his or her discretion to waive the automatic certification.

The proposed Act does not contemplate the more frequent situations where the Government and defense disagree about whether minors should face adult consequences or receive the benefit of rehabilitative services in a juvenile forum. Additionally, I feel the proposed Act fails to consider United States Supreme Court jurisprudence from the last five years, as well as the clear movement towards evidence-based juvenile rehabilitation. From my review of juvenile certification laws, Guam is the only US jurisdiction which automatically certifies children without any opportunity for a hearing or consideration of any factors. Ultimately, I have a difficult time agreeing that a mere addition of Government discretion constitutes a “justice reform.” Although an amendment to the proposed Act would certainly be a positive step, I believe our juvenile certification law requires close scrutiny and perhaps a more thorough overhaul.

I have included a Memorandum below which provides a brief background on certification hearings and sets forth several concerns as well as a proposal for a possible amendment. I will be attending the Public Hearing on Monday, March 9, and look forward to hearing your opinions as an experienced Family Court judge. Please feel free to call me at anytime at 300.7824 (direct line) or 486.0713 (cell). I can also be reached by email at msilkey@guampdsc.net. Thank you for your consideration.

Sincerely,


Mikaela Silkey Henderson
Assistant Public Defender



MEMORANDUM

I. BACKGROUND AND LEGAL AUTHORITY

1. Jurisdiction of the Guam Family Court.

The general rule is that all minors charged with crimes are subject to the exclusive jurisdiction of the Family Court. The Family Court Act (“the Act”), contained in Chapter Five of Title 19, addresses the jurisdiction of the Family Court. The Family Court generally “shall have **exclusive jurisdiction** in proceedings . . . (a) Concerning any child living or found within the territory of Guam: . . . (4) who is alleged to have violated any territorial law . . .” 19 G.C.A. § 5103(a)(4) (emphasis added); *see also* *People v. Herradura*, Crim. No. 85-00023A; 1986 WL 68910 (D. Guam App. Div. 1986) (finding the Family Court is a court of special jurisdiction. *See People v. Herradura*, 1986 WL 68910 at *2. “Section 5106(a) divests the Family Court of jurisdiction over minors charged with second degree felonies.” *Id.* “The jurisdiction of the Family Court does not extend to cases involving minors accused of committing first or second degree felonies and lesser included offenses; **the Superior Court has exclusive jurisdiction for these proceedings.**” *Id.* (emphasis added). “[S]ection 7.10 of the Criminal and Correctional Code controls the jurisdiction of the juvenile court.” *People v. Quinata*, Crim. No. 81-0004A, 1982 WL 30546 (D. Guam App. 1982) (repealing Section 250-253 of the Code of Civil Procedure addressing juvenile jurisdiction). Section 7.10 unequivocally provides that:

No person may be tried for or convicted of an offense if . . . his age at the time he is charged with an offense places him within the exclusive jurisdiction of the Family Division of the Superior Court.

9 G.C.A § 7.10(a) (emphasis added) (further exempting juveniles from criminal liability where a person was made the subject of a petition in juvenile court or certified to juvenile court). Although the Child’s age would generally subject him to the jurisdiction of the Family Court, the Superior Court has exclusive jurisdiction over minors indicted for second and first degree felonies. *See People v. Herradura, supra.*

2. Guam’s Automatic Certification Statute

Guam’s automatic certification law is an exception to the exclusive jurisdiction of the Family Court. Title 19 section 5106 provides that “[a] child who is sixteen (16) years of age or older . . . shall automatically be charged as an adult for any act which would constitute [a first or second degree felony].” This is a bright-line law: if a child is charged with a first or second degree felony, their case must proceed in adult court and the Family Court is divested of jurisdiction. *People v. Quichocho*, 1997 Guam 13 (Sup. Ct. Guam 1997).

Guam law lacks any mechanism which allows an automatically certified child to be heard in the Family Court. The Supreme Court last addressed this issue in *People v. Quenga*, 1997 Guam 6 at ¶10 (Guam Sup. Ct. 1997). In *Quenga*, the child challenged the automatic certification provision of § 5106 and filed an interlocutory appeal to review the lower court’s denial of a “decertification” hearing. The Supreme Court of the Territory of Guam declined to exercise discretionary review and held that a minor must raise the issue of “decertification” in post-conviction attack. *Id.* at ¶10. The Court noted that



“[t]here is no statutory basis [for a “decertification” hearing] and therefore no statutory description of what appeal might be allowed on its denial. *Id.* at ¶6.

The proposed Act attempts to correct some problems with automatic certification by giving discretion to the Attorney General’s Office. However, the legislation fails to address three important aspects of juvenile justice:

- (1) Recent Supreme Court Caselaw; and
- (2) Majority View That Requires Findings for Adult Certification.

II. REQUIRED CONSIDERATIONS FOR 2015 JUVENILE JUSTICE ACT

I. Supreme Court Jurisprudence

The line of cases that make up the relevant jurisprudence focuses on three significant gaps between adults and children. *Id.* First, their “lack of maturity” and “underdeveloped sense of responsibility” lead to recklessness, impulsivity, and heedless risk-taking. *Roper v. Simmons*, 543 U.S. 551, 569 (2005). Second, they “are more vulnerable ... to negative influences and outside pressures.” *Id.* These offenders usually have limited “contro[l] over their own environment” and lack the ability to extricate themselves from horrific, crime-producing settings. *Id.* Lastly, because a child’s character is not as “well formed” as an adult’s, his traits are “less fixed” and therefore his actions are less likely to be “evidence of irretrievabl[e] deprac[ity].” *Roper*, 543 at 570. Even when serious crimes are committed, these distinguishing characteristics of youth defendants diminish the penological justifications for imposing the harshest sentences on these juvenile offenders. *see Roper*, 543 U.S. 551 (2005); see also *Graham v. Florida*, 560 U.S. ____ (2010) (slip op., at 17, 23). “[T]he case of retribution is not as strong with a minor as with an adult.” *Graham*, 560 U.S. ____ (2010) (slip op., at 20-21).

Juvenile offenders have a greater likelihood of reform. *See Miller*, 567 U.S. ____ (2012) (slip op., at 8). The Supreme Court of the United States has reviewed many studies related to the issue of juvenile offenders and have opined on many occasions that the evident differences between juveniles and adults lessen a child’s “moral culpability” and enhances the prospect that “deficiencies will be reformed.” *Miller*, 567 U.S. ____ (2012) (slip op., at 9).

The proposed Act does not make any attempt to address the scientific and evidence-based findings in Supreme Court jurisprudence.

a. Codification of *Miller v. Alabama*

In *Miller v. Alabama*, the U.S. Supreme Court struck down mandatory sentences of life without parole for juvenile offenders. *Miller*, 567 U.S. ____ (2012) (slip op., at 9). At the time of *Miller*, 29 states, plus Guam, had statutes that made life without parole mandatory for certain murder crimes. *See* “Juvenile Offenders and Victims: 2014 National Report; National Center for Juvenile Justice and Office of Juvenile Justice and Delinquency Prevention, p. 108. States are reforming their juvenile statutes and moving to codify *Miller v. Alabama* in sentencing statutes. *See id.* (discussing Pennsylvania, North Carolina, California, Montana, South Dakota, and Wyoming’s efforts to codify).



Current Guam law violates *Miller v. Alabama*. Title 9 Section 16.30 mandates that persons convicted of aggravated murder must serve a sentence of life without the possibility of parole. A more comprehensive Juvenile Justice Reform Act should include codification of *Miller* as applied to § 16.30.

2. Majority View: Adult Certification Requires Findings and Consideration of Factors

Guam's automatic certification law is contrary to the approach taken by all 50 United States. Section 5106 mandates that all children above age sixteen be transferred to adult court if charged with first or second degree felonies. Guam law does not enumerate or exempt any first or second degree felonies, require the submission of a petition, or require the court to hold a hearing. *See*, by contrast: Alabama (district attorney requests transfer to adult court); Alaska (court holds hearing to determine whether amenable to rehabilitation); Arizona (district attorney has discretion to transfer to adult court upon showing of certain factors; child may petition for extended jurisdiction); California (probation investigates factors of child; transfer to adult court only upon "unfitness").

The proposed Act does not give any discretion to the court nor provide an opportunity for any hearing on the record. *See*, by contrast: Hawaii (court has discretion); Idaho (court has discretion); Iowa (court has discretion; hearing is required); Minnesota (court has discretion; hearing is required). At least twenty nine states¹ require the court to consider a set of clearly delineated factors when determining whether to transfer a child to adult court. Moreover, the proposed Act lacks any guiding factors which would aid the Attorney General's Office in their determination and promote internal consistency.

The proposed Act excludes any meaningful participation by the child's attorney who is perhaps in the best position to provide information about the child's background which would weigh in favor of Family Court jurisdiction. First and second degree felonies are serious in their very nature: although the proposed Act may save a few cases from adult court, there will surely be many more children that the Attorney General's Office cannot and will not agree to treat leniently. The proposed Act does not meaningfully address the role of the defense attorney and the public policy decisions which the Attorney General's Office must make on behalf of the People of Guam.

III. PROBLEMS WITH ADDING AN AMENDMENT

If the proposed Act is amended to include court consideration of certain factors, a problem arises with jurisdiction. The Family Court (and not the Superior Court) is likely in the best position to make a determination about a child's rehabilitation and amenability to Family Court services. However, if a child is automatically certified to adult court, the Family Court is divested of jurisdiction and a petition for decertification could probably not be filed in the Family Court. *See People v. Herradura, supra*. The proposed amendment below suggests a special proceedings petition which would be filed in the Family Court.

¹ *See* Arizona, Arkansas, California, Colorado, Florida, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Michigan, Mississippi, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Wisconsin, Wyoming.



POSSIBLE AMENDMENT (using factors from Illinois) (new language is in BOLD)

§ 5106. Certification for Criminal Proceedings.

- (a) If a child is sixteen (16) years of age or older at the time he committed the offense for which he is charged, and if the conduct is a misdemeanor or a felony of the third degree, and if the court after full investigation deems it contrary to the best interest of such child or of the public to retain jurisdiction, the court may, in its discretion, certify such child for proper criminal proceedings to any court which would have trial jurisdiction of such offense if committed by an adult. A child who is sixteen (16) years of age or older at the time he committed the offense for which he is charged shall automatically be charged as an adult for any act which would constitute a felony of the first or second degree along with any acts which are misdemeanors or felonies of the third degree which are part of the same scheme of criminal activity as the felony. If a child is under sixteen years of age at the time he committed the offense for which he is charged, and if the conduct would constitute an offense under 9 GCA Chapter 16 (Homicides), and if the court after full investigation deems it contrary to the best interest of such child or of the public to retain jurisdiction, the court may, in its discretion, certify such child for proper criminal proceedings to any court which would have trial jurisdiction of such offense if committed by an adult. If a child is certified as an adult, the same judge shall not, in turn preside over the criminal proceedings against such child.
- (b) **If a child is automatically certified as an adult under subsection (a), the child may initiate a special proceeding and petition the Family Court to exercise jurisdiction. The judge must make a finding based on clear and convincing evidence that the minor would be amenable to the care, treatment, and training programs available through the facilities of the juvenile court based on an evaluation of the following:**
- i. The age of the minor;
 - ii. The history of the minor, including:
 - A. Any previous delinquent or criminal history of the minor,
 - B. Any previous abuse or neglect history of the minor, and
 - C. Any mental health, physical or educational history of the minor or combination of these factors;
 - iii. The circumstances of the offense, including:
 - A. The seriousness of the offense,
 - B. Whether the minor is charged through accountability,
 - C. Whether there is evidence the offense was committed in an aggressive and premeditated manner,
 - D. Whether there is evidence the offense caused serious bodily harm,
 - E. Whether there is evidence the minor possessed a deadly weapon;
 - iv. The advantages of treatment within the juvenile justice system including whether there are facilities or programs, or both, particularly available in the juvenile system;
 - v. Whether the security of the public requires sentencing under Title 9 Chapter 80:
 - A. The minor's history of services, including the minor's willingness to participate meaningfully in available services;



- B. Whether there is a reasonable likelihood that the minor can be rehabilitated before the expiration of the juvenile court's jurisdiction;
- C. The adequacy of the punishment or services.

In considering these factors, the court shall give greater weight to the seriousness of the alleged offense and the minor's prior record of delinquency than to the other factors listed in this subsection.

Source: Ill. Comp. Stat. Ann 405/5-805 (2011), Transfer of jurisdiction.

IV. TOTAL OVERHAUL OF THE JUVENILE JUSTICE REFORM ACT OF 2015?

An amendment which sets forth factors and provides an opportunity for hearing would certainly help children and bring Guam a bit closer to the majority view. However, after researching this issue, I question whether Guam should continue to cling to its automatic certification statute. Our statute is the "reverse" of other jurisdictions. Because of the automatic certification in Guam, we are looking at a "decertification" which would move the certified case "down" to juvenile court. By contrast, the vast majority of states presume that a child's case will be heard in juvenile court and focus on factors which would require certifying a case "up" to adult court.

The following articles provide excellent summaries of juvenile law and state statutes:

- Juvenile Offenders and Victims: 2014 National Report by the National Center for Juvenile Justice and Office of Juvenile Justice and Delinquency Prevention: <http://www.ojjdp.gov/ojstatbb/nr2014/downloads/NR2014.pdf>.
- National District Attorney's Association: "Juvenile Transfer to Adult Court" (August 2011) <http://www.ndaa.org/pdf/Juvenile%20Transfer%202011.pdf>



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd 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

February 16, 2015

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Memorandum

Speaker
Judith T.P. Won Pat, Ed.D.
Member

To: **Rennae Meno**
Clerk of the Legislature

Vice-Speaker
Benjamin J.F. Cruz
Member

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Legislative Secretary
Tina Rose Muna Barnes
Member

Subject: **Fiscal Note and Fiscal Note Waiver**

Senator
Dennis G. Rodriguez, Jr.
Member

Hafa Adai!

Attached please find the fiscal note and fiscal note waiver for the bill numbers listed below. Please note that the fiscal note and fiscal note waiver are issued on the bills as introduced.

Senator
Frank Blas Aguon, Jr.
Member

FISCAL NOTE:
Bill No. 1-33(LS)

Senator
Michael F.Q. San Nicolas
Member

WAIVER:
Bill No. 21-33(COR)

Senator
Nerissa Bretania Underwood
Member

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

V. Anthony Ada
MINORITY LEADER

Si Yu'os ma'åse'!

Mary C. Torres
MINORITY MEMBER

2015 FEB 16 AM 10:30

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932**EDDIE BAZA CALVO**
GOVERNOR**RAY TENORIO**
LIEUTENANT GOVERNOR**JOSE S. CALVO**
ACTING DIRECTOR**LESTER L. CARLSON JR.**
DEPUTY DIRECTOR**FEB 16 2015**

The Bureau requests that Bill No. 21-33(COR) be granted a waiver pursuant to Public Law 12-229 as amended for the following reason(s):

The above referenced Bill is administrative in nature and does not have any potential impact upon the revenues or the expenditure of any funds of the Government of Guam.


JOSE S. CALVO

Attachment(s)



COMMITTEE ON RULES

I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

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MAJORITY LEADER

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Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
Nerissa Bretania Underwood
Member

V. Anthony Ada
MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

January 15, 2015

MEMORANDUM

To: Rennaë Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill No. 21-33(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 21-33(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Tres na Liheslaturan Guåhan*.

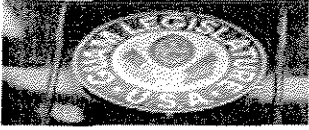
Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Tres Na Liheslaturan Received
Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
21-33 (COR)	Brant T. McCreadie	AN ACT TO AMEND § 5106 (a) OF CHAPTER 5, TITLE 19 GUAM CODE ANNOTATED RELATIVE TO PROVIDING DISCRETION TO THE OFFICE OF THE ATTORNEY GENERAL WITH REGARDS TO THE AUTOMATIC CERTIFICATION OF MINORS AS ADULTS FOR CERTAIN CRIMES, WHICH MAY BE CITED AS THE "JUVENILE JUSTICE REFORM ACT OF	01/15/15 9:09 a.m.	01/15/15	Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives			Fiscal Note Requested 01/22/15



Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST Notice

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, Feb 27, 2015 at 11:28 AM

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

From: Lisa Dames <cipo@guamlegislature.org>
Date: Fri, Feb 27, 2015 at 11:25 AM
Subject: Re: Public Hearing - FIRST Notice
To: phmaterials@guamlegislature.org

PLEASE DISREGARD PREVIOUS EMAIL. SEE REVISED AGENDA.

On Fri, Feb 27, 2015 at 9:08 AM, Lisa Dames <cipo@guamlegislature.org> wrote:

The Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives will conduct a public hearing on **Monday, March 9, 2015 beginning at 2:00pm** in the Guam Legislature's Public Hearing Room.

The following is on the agenda:

Confirmation Hearing**Ms. Lisa Baza-Cruz**, Member, Commission for Educator CertificationPublic Hearing**Bill No. 21-33 (COR)** – Introduced by Senator Brant McCreadie

An Act to amend § 5106 (a) of Chapter 5, Title 19 Guam Code Annotated Relative to providing discretion to the Office of the Attorney General with regards to the automatic certification of minors as adults for certain crimes, which may be cited as the "Juvenile Justice Reform Act of 2015".

Bill No. 43-33 (COR) – Introduced by Senator Nerissa Underwood, Ph.D.


An Act to Amend § 3107 of Article 1, Chapter 3, Title 5 Guam Code Annotated Relative to Standardized Testing within the Department of Education.

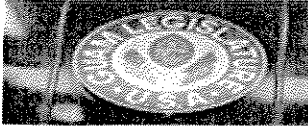
In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Early Learning, Juvenile Justice, Public Education and First Generation Initiatives at 969-0973/4 or email at cipo@guamlegislature.org

--
Lisa Dames
I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
Senator Nerissa B. Underwood, PhD
Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives
Phone: 969-0973/74
Fax: 969-09745
email: cipo@guamlegislature.org

--
Lisa Dames
I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
Senator Nerissa B. Underwood, PhD
Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives
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Lisa Dames
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 **Agenda 030915-2.docx**
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, Feb 27, 2015 at 9:07 AM

To: news@k57.com, news@guampdn.com, Sabrina Salas Matanane <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, Mar-Vic Cagurangan <marvic@mvguam.com>, louella@mvguam.com, rgibson@k57.com, kstokish@gmail.com, Jerick Sablan <jpsablan@guampdn.com>, Lifestyles_PDND <life@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, "Daleno, Gaynor D" <gdumat-ol@guam.gannett.com>, cimiculka@guampdn.com

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Ms. Lisa Baza-Cruz, Member, Commission for Educator Certification

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An Act to Amend § 3107 of Article 1, Chapter 3, Title 5 Guam Code Annotated.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Early Learning, Juvenile Justice, Public Education and First Generation Initiatives at 969-0973/4 or email at cipo@guamlegislature.org

Lisa Dames
I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
Senator Nerissa B. Underwood, PhD
Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives
Phone: 969-0973/74
Fax: 969-09745
email: cipo@guamlegislature.org

 **Agenda 030915.docx**
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - FIRST NOTICE

Lisa Dames <cipo@guamlegislature.org>

Fri, Feb 27, 2015 at 11:23 AM

To: news@k57.com, news@guampdn.com, Sabrina Salas Matanane <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, Mar-Vic Cagurangan <marvic@mvguam.com>, louella@mvguam.com, rgibson@k57.com, kstokish@gmail.com, Jerick Sablan <jpsablan@guampdn.com>, Lifestyles_PDNI <lifepd@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, "Daleno, Gaynor D" <gdumatol@guam.gannett.com>, cimiculka@guampdn.com

PLEASE DISREGARD PREVIOUS EMAIL. SEE REVISED ATTACHED AGENDA.

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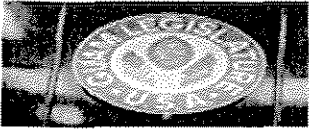
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--
Lisa Dames
I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
Senator Nerissa B. Underwood, PhD
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 **Agenda 030915-2.docx**
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND Notice

Lisa Dames <cipo@guamlegislature.org>
To: PHrg Notice <phnotice@guamlegislature.org>

Fri, Mar 6, 2015 at 11:15 AM

The Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives will conduct a public hearing on **Monday, March 9, 2015 beginning at 2:00pm** in the Guam Legislature's Public Hearing Room.

The following is on the agenda:

Confirmation Hearing

Ms. Lisa Baza-Cruz, Member, Commission for Educator Certification

Public Hearing

Bill No. 21-33 (COR) – Introduced by Senator Brant McCreadie

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--
Lisa Dames

I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN

Senator Nerissa B. Underwood, PhD

Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives

Phone: 969-0973/74
Fax: 969-09745
email: cipo@guamlegislature.org

 **Agenda 030915-2.docx**
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Lisa Dames <cipo@guamlegislature.org>

Public Hearing - SECOND Notice

Lisa Dames <cipo@guamlegislature.org>

Fri, Mar 6, 2015 at 11:15 AM

To: news@k57.com, news@guampdn.com, Sabrina Salas Matanane <sabrina@kuam.com>, Jason Salas <jason@kuam.com>, Mindy Aguon <mindy@kuam.com>, Ken Quintanilla <kenq@kuam.com>, Krystal Paco <krystal@kuam.com>, clynt@k57.com, Betsy Brown <betsy@k57.com>, Jon Anderson <editor@mvguam.com>, "Gerardo R. Partido" <gerry@mvguam.com>, Mar-Vic Cagurangan <marvic@mvguam.com>, louella@mvguam.com, rgibson@k57.com, Jerick Sablan <jpsablan@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, kstokish@gmail.com, "Daleno, Gaynor D" <gdumat-ol@guam.gannett.com>, Lifestyles_PDN <life@guampdn.com>, cimiculka@guampdn.com

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The following is on the agenda:

Confirmation Hearing

Ms. Lisa Baza-Cruz, Member, Commission for Educator Certification

Public Hearing

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Lisa Dames
I MINA'TRENTAI TRES NA LIHESLATURAN GUAHAN
Senator Nerissa B. Underwood, PhD
Committee on Early Learning, Juvenile Justice, Public Education, and First Generation Initiatives
Phone: 969-0973/74
Fax: 969-09745
email: cipo@guamlegislature.org

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FRIDAY, MARCH 6, 2015 - MARIANAS VARIETY GUAM EDITION



I Muro' Tritan' Ales' na Labe' a'aturan' Gaudian
33rd Guam Legislature

Senator Nerissa Bretania Underwood, Ph.D.
Chairperson, Committee on Early Learning, Juvenile Justice,
Public Education and First Generation Initiatives

PUBLIC HEARING
Monday, March 9, 2015
Guam Legislature Public Hearing Room
AGENDA

2:00 PM

Confirmation Hearing

Ms. Lisa Baza-Cruz, Member, Commission for Educator Certification

Public Hearing

Bill No. 21-33 (COR) - Introduced by Senator Brant McCreadie

An Act to amend § 5106 (a) of Chapter 5, Title 19 Guam Code Annotated Relative to providing discretion to the Office of the Attorney General with regards to the automatic certification of minors as adults for certain crimes, which may be cited as the "Juvenile Justice Reform Act of 2015".

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Toyota Corolla 2005, good condition, cold ac, stereo, mags, white. Price Neg. 483-7591

Orlando Jeep 1725200, Elec Stv \$180. 686-7039

NEW IP Security cameras 2 for \$375 w/ speaker, night vision rotation free instal 469-1461

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Barigada Leyang 128 Emma St Fri & Sat 6am-? Dryr, wshr, onpy pipes, tv, hse hld lms. 777-7713

Ded Sat/Sun 6a-4p Bags, Clifing & Tv, Blu 2stry 118 Consolation St. nr Mayors Office. 632-3806

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\$950K New 5BD 3BA National Realty 727-0072 PB Kun Rhee

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GFS

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THE GFS GROUP

★ AUCTION ★

The United States Marshals Service, Districts of Guam and the Northern Mariana Islands will hold a public auction on the following vehicles:

1995 Ford Mustang 2007 Lexus IS250

The auction will be held at 10:00 A.M. on Wednesday, March 25, 2015 at the Camacho Family Partnership Complex, 233 Pangasinan Way, Barrigada, Guam. Please call 633-7991 for directions.

All items will be sold "AS IS WHERE IS." The vehicles may be inspected 30 minutes prior to the beginning of the auction. All interested parties must sign-in with a U.S. Marshals Service Representative 30 minutes prior to the start of the auction at the location stated above.

A 10% non-refundable deposit is required from the awarded bidder by 4:00 P.M., on the day of the auction and must pay the remaining amount of the bid the following day by 12:00 P.M. Payment must be a Certified Check or Cashier's Check payable to the order of "United States Marshals Service."

United States Marshals Service
Chuck Ellis, Chief Deputy U.S. Marshal
Attn: Tina Diras, Asset Forfeiture Unit
Suite 344, U.S. District Courthouse
520 West Soledad Avenue, Hagatna, Guam 96910
Tel: (671) 473-9169 Fax: (671) 473-9195

I Mini Trental Tres na Liheslaturan Guahan
33rd Guam Legislature
Senator Nerissa Bretania Underwood, Ph.D.
Chairperson, Committee on Early Learning, Juvenile Justice, Public Education and First Generation Initiatives

PUBLIC HEARING
Monday, March 9, 2015
Guam Legislature Public Hearing Room
AGENDA

2:00 PM

Confirmation Hearing
Ms. Lisa Baza-Cruz, Member, Commission for Educator Certification

Public Hearing
Bill No. 21-33 (COR)
Introduced by Senator Brant McCreadie
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Introduced by Senator Nerissa Underwood, Ph.D.
An Act to Amend § 3107 of Article 1, Chapter 3, Title 5 Guam Code Annotated Relative to Standardized Testing within the Department of Education.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services or for further information, please call the Committee on Early Learning, Juvenile Justice, Public Education and First Generation Initiatives at 969-0973/4 or email at cpo@guamlegislature.org

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Updated as of February 27, 2015

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I Mina'Trentai Tres na Liheslaturan Guåhan

33rd Guam Legislature

Senator Nerissa Bretania Underwood, Ph.D.

Chairperson, Committee on Early Learning, Juvenile Justice,
Public Education and First Generation Initiatives

PUBLIC HEARING

Monday, March 9, 2015

Guam Legislature Public Hearing Room

AGENDA

2:00 PM

Confirmation Hearing

Ms. Lisa Baza-Cruz, Member, Commission for Educator Certification

Public Hearing

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