

DECEMBER

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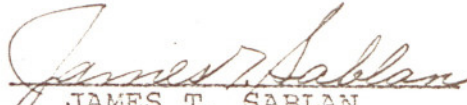
TENTH GUAM LEGISLATURE
1969 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This certifies that Bill No. 186, "An Act to add Chapter VI to Title I of Part II of the Penal Code of Guam enacting a model statute on 'stop and frisk', was on the 19th day of June, 1969, duly and regularly passed.


JOAQUIN C. ARRIOLA
Speaker

ATTESTED:



JAMES T. SABLAN
Legislative Secretary

This Act was received by the Governor this 18th day
of July, 1969 at 2:45 o'clock P.M.

/s/ DENVER DICKERSON
DENVER DICKERSON
Secretary of Guam

APPROVED:

/s/ Carlos G. Camacho
CARLOS G. CAMACHO
Governor of Guam
DATED: AUG 17 1969
1:13 P.M.


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TENTH GUAM LEGISLATURE
1969 (FIRST) Regular Session

Bill No. 186

Introduced by J. C. Arriola

AN ACT TO ADD CHAPTER VI TO TITLE I OF
PART II OF THE PENAL CODE OF GUAM ENACTING
A MODEL STATUTE ON "STOP AND FRISK".

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

2 Section 1. Chapter VI is hereby added to Title I of Part
3 II of the Penal Code of Guam to read:

4 "CHAPTER VI

5 Section 735. Peace Officer May Detain Suspect.

6 Whenever any peace officer of Guam encounters any person
7 under circumstances which reasonably indicate that such
8 person has committed, is committing, or is about to
9 commit a criminal offense, he may detain such person.

10 Section 736. Purpose of Detention. Such detention
11 shall be for the purpose of ascertaining the identity of
12 the person detained and the circumstances surrounding his
13 presence abroad which led the officer to believe that he
14 had committed, was committing, or was about to commit a
15 criminal offense, but no person shall be compelled to
16 answer any inquiry of any peace officer.

17 Section 736.1. Limits on Detention. No person shall
18 be detained under the provisions of Section 736 of this
19 Chapter longer than is reasonably necessary to effect
20 the purposes of that section, and in no event longer
21 than 15 minutes. Such detention shall not extend beyond
22 the place where it was first effected or the immediate
23 vicinity thereof.

24 Section 736.2. Arrest or Release. If at any time
25 after the onset of the detention authorized by Section 735
26 of this Chapter, probable cause for arrest of the person

1 shall appear, the person shall be arrested. If, after an
2 inquiry into the circumstances which prompted the
3 detention, no probable cause for the arrest of the person
4 shall appear, he shall be released.

5 Section 736.3. Search for Weapons. Whenever any
6 peace officer authorized to detain any person under the
7 provisions of Section 735 of this Chapter reasonably
8 believes that any person whom he has detained, or is about
9 to detain, is armed with a dangerous weapon and therefore
10 offers a threat to the safety of the officer or another,
11 he may search his person to the extent necessary to
12 disclose, and for the purpose of disclosing, the presence
13 of such weapon. If such a search discloses a weapon or
14 any evidence of a criminal offense it may be seized.

15 Section 736.4. Use of Evidence Seized in Search.

16 Nothing seized by a peace officer in any such search
17 shall be admissible against any person in any court of
18 this territory unless the search which disclosed its
19 existence was authorized by, and conducted in compliance
20 with, the provisions of this Chapter."