



*Territory of Guam*

OFFICE OF THE GOVERNOR

AGANA, GUAM 96910

U.S.A.

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APR 06 1982

Honorable Thomas V.C. Tanaka  
Speaker  
Sixteenth Guam Legislature  
Post Office Box 373  
Agana, Guam 96910

Dear Mr. Speaker:

This is to advise you that I have signed into law Bill Number 380, which would revise the Code of Evidence for Guam. This is now Public Law 16-78. However, in doing so, I would like to request that the Legislature take appropriate remedial action in addressing two issues pertaining to this measure.

First, the Legislature did not accept the proposed change would have narrowed Guam's marital privilege. The proposed change would have facilitated prosecution of interspousal crimes, which are particularly hard to prosecute in this jurisdiction because of strong social pressures preventing victims from cooperating with authorities. Under the existing system, the victim's spouse cannot be compelled to give evidence of crimes committed upon him or her by his or her spouse, in spite of the powerful interest of society as a whole in preventing and prosecuting incidents of violent conduct.

Second, there have been strong reservations voiced by the various media, both electronic and printed, with respect to the amendment to the shield law. I believe that these concerns should be addressed by the Legislature. However, these two changes can be made by specific legislation directed to these two points. Consequently, Bill No. 380 should be signed as enacted. The bill is an important contribution to the effort to make Guam's laws internally consistent. To throw out the entire measure because of disagreements on the issues I have stated would be unwise. I sincerely urge the Legislature to act promptly in addressing these points.

Sincerely yours,

PAUL M. CALVO

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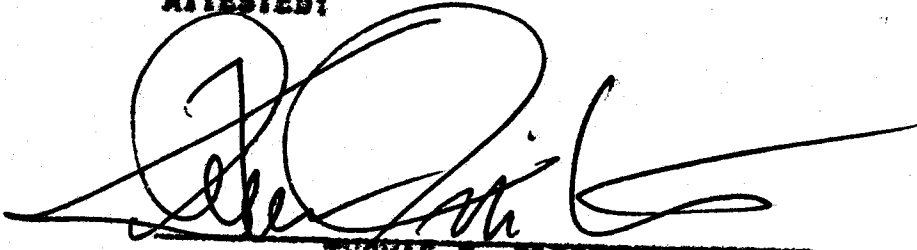
SIXTEENTH GUAM LEGISLATURE  
1982 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 380, "An Act to re-enact the Evidence Code of Guam as Title 6 of the Guam Code Annotated", was on the 3rd day of March 1982, duly and regularly passed.

  
THOMAS V. C. TANAKA  
Speaker

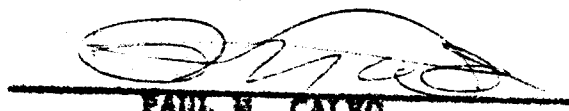
ATTESTED:

  
THOMAS C. CRISOSTOMO  
Legislative Secretary

.....  
This Act was received by the Governor this 25<sup>th</sup> day of  
March, 1982, at 2:40 o'clock P M.

  
for SIERRA L. FRANCISCO  
Assistant Staff Officer  
Governor's Office

APPROVED:

  
PAUL H. CALVO  
Governor of Guam

DATED: 4/6/82  
P. L. 16-78

SIXTEENTH GUAM LEGISLATURE  
1982 (SECOND) Regular Session

Bill No. 380  
(As Amended by the  
Committee on Criminal Justice)

Introduced by: P.F. Perez, Jr. E.R. Duenas F.R. Santos

A.C. Lamorena III J.I. Leon Guerrero

AN ACT TO RE-ENACT THE EVIDENCE CODE OF GUAM  
AS TITLE 6 OF THE GUAM CODE ANNOTATED.

1 WHEREAS, the Legislature has enacted §66.1 of the Code of Civil  
2 Procedure by P.L. 15-115:8 which enacted as law the Guam Rules of Evi-  
3 dence and repealed all laws inconsistent therewith; and

4 WHEREAS, much of the former Code of Civil Procedure - Part IV -  
5 Evidence has thereby been repealed by implication; and

6 WHEREAS, it is necessary for the courts and practicing attorneys, as  
7 well as the general public, for there to be one clear body of law on the  
8 subject of Evidence; and

9 WHEREAS, this new Title 6 of the Guam Code Annotated re-enacts the  
10 Guam Rules of Evidence and the former Code of Civil Procedure - Part IV,  
11 the latter having been conformed to the Guam Rules of Evidence and  
12 amended; now, therefore,

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

14 Section 1. Section 66.1 of the Code of Civil Procedure is repealed.

15 Section 2. Sections 1823 through 2102, inclusive, of the Code of Civil  
16 Procedure are repealed.

17 Section 3. A new Title 6, Evidence, which is attached hereto and  
18 made a part of this Act, is added to the Guam Code Annotated to be  
19 effective ninety (90) days from the date of enactment.