



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

September 8, 2015

37-15-0832
Office of the Speaker
Judith T. Won Pat, Ed.D

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

Date: Sept 9, 2015
Time: 12:30 pm
Received By: [Signature]

POST
SEP - 9 PM 2:17

Dear Madame Speaker,

Transmitted herewith is Bill No. 99-33 (COR) "AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 80 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A HORMONE OR ANTI-ANDROGEN PILOT TREATMENT PROGRAM FOR PERSONS CONVICTED OF SEX CRIMES," which was signed into law on September 7, 2015, as Public Law 33-67.

Sincerely,

EDDIE CALVO

0832

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

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Bill No. 99-33 (COR), "AN ACT TO ADD A NEW ARTICLE 7 TO CHAPTER 80 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING A HORMONE OR ANTI-ANDROGEN PILOT TREATMENT PROGRAM FOR PERSONS CONVICTED OF SEX CRIMES,"** was on the 3rd day of September 2015, duly and regularly passed.

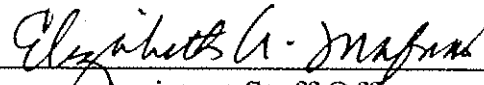


Judith T. Won Pat, Ed.D.
Speaker

Attested:


Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 3rd day of Sept,
2015, at 4:45 o'clock P.M.


Assistant Staff Officer
Maga'lahi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: SEP 07 2015

Public Law No. 33-67

1 **HORMONE OR ANTI-ANDROGEN PILOT TREATMENT**
2 **PROGRAM FOR CONVICTED SEX OFFENDERS**

3 § 80.100. Definitions.

4 § 80.101. Hormone or Anti-Androgen Pilot Treatment Program –
5 Establishment, Eligibility.

6 § 80.102. Rules.

7 § 80.103. Costs.

8 § 80.104. Use of Hormone or Anti-Androgen Treatment Program
9 with Persons not Included in Pilot Program; Referrals to
10 the Program.

11 § 80.105. Sunset Provision.

12 **§ 80.100. Definitions.** As used in this Article:

13 (a) *Sex crime* means an offense under 9 GCA §§ 25.15,
14 25.20, or 25.25.

15 (b) *Parole Board* means the Guam Parole Board established
16 pursuant to 9 GCA, Chapter 85.

17 **§ 80.101. Hormone or Anti-Androgen Pilot Treatment Program**
18 **– Establishment, Eligibility.**

19 (a) The Department of Corrections *shall* establish a pilot
20 treatment program for persons convicted of a sex crime who are
21 eligible for, or sentenced to, parole or post-prison supervision.
22 Evaluation of this pilot treatment program will be completed no later
23 than three (3) years after the date of implementation of the program,
24 and an evaluation report shall be transmitted to the Parole Board upon
25 completion. The purpose of the program is to reduce the risk of
26 reoffending after release on parole or post-prison supervision by
27 providing certain persons, convicted of sex crimes who are deemed

1 medically appropriate for the treatment program, with hormone or
2 anti-androgen, such as medroxyprogesterone acetate, each year.

3 (b) Under the program, the Department of Corrections *shall*:

4 (1) screen persons convicted of sex crimes who are
5 eligible for release within six (6) months on parole or post-
6 prison supervision to determine their suitability for hormone or
7 anti-androgen treatment upon release;

8 (2) refer persons found most likely to benefit from
9 hormone or anti-androgen treatment to a competent physician
10 for medical evaluation, and a competent psychologist for
11 psychological evaluation; and

12 (3) refer those persons, unless medically
13 contraindicated after the evaluation by a competent physician,
14 to a community physician to begin hormone or anti-androgen
15 treatment one (1) week prior to release on parole or post-prison
16 supervision.

17 (c) The Parole Board *may* require, as a condition of parole or
18 post-prison supervision, hormone or anti-androgen treatment during
19 all or a portion of parole or post-prison supervision of persons
20 required to participate in the hormone or anti-androgen treatment
21 program described in Subsection (b) of this Section.

22 (d) A person required to undergo a treatment program under
23 Subsection (b) of this Section violates a condition of parole or post-
24 prison supervision, and is subject to sanctions, if the person:

25 (1) fails to cooperate in the treatment program
26 required under Subsection (b) of this Section; or

1 (2) takes any steroid or other chemical to counteract
2 the treatment required under Subsection (b) of this Section.

3 (e) If a person voluntarily undergoes a permanent surgical
4 alternative to treatment under Subsection (b) of this Section, he or she
5 *shall not* be subject to hormone or anti-androgen treatment under this
6 Section. All costs of such permanent surgical alternative *shall* be paid
7 by the person undergoing such procedure.

8 (f) Any physician who acts in good faith under this Section
9 in the administration of hormone or anti-androgen treatment, or the
10 evaluation of persons for hormone or anti-androgen treatment, *shall*
11 be immune from civil or criminal liability in connection with such
12 treatment or evaluation.

13 **§ 80.102. Rules.**

14 (a) The Department of Corrections *shall* adopt rules,
15 pursuant to the Administrative Adjudication Law, to implement and
16 enforce the treatment program of hormone or anti-androgen, such as
17 medroxyprogesterone acetate, under § 80.101 of this Article. Rules
18 adopted under this Subsection *shall* include, but *not* be limited to:

19 (1) a requirement that the offender be informed of the
20 effect of the treatment program, including any side effects that
21 may result from the treatment program;

22 (2) a requirement that the offender acknowledge
23 receipt of the information the Department is required to present
24 to the offender under Paragraph (1) of this Subsection;

25 (3) procedures to monitor compliance with the
26 treatment program;

1 (4) procedures to test for attempts to counteract the
2 treatment program, that may include chemical testing of the
3 offender's blood and urine; and

4 (5) a requirement that the Department of Corrections
5 develop evaluation criteria and evaluate this pilot treatment
6 program no later than three (3) years after the date of
7 implementation of the treatment program, and that an
8 evaluation report be transmitted to the Parole Board upon
9 completion.

10 (b) The Department of Corrections may contract, pursuant to
11 the requirements of Guam law, with community physicians,
12 laboratories, or other medical service providers, to administer the
13 program of hormone or anti-androgen treatment under § 80.101 of this
14 Article, or to monitor compliance with the treatment program.

15 **§ 80.103. Costs.**

16 A person required to undergo a treatment program of hormone or anti-
17 androgen, such as medoxyprogesterone acetate, under § 80.101 of this
18 Article *shall* pay or reimburse all costs of the treatment program directly to
19 the department, agency, or organization administering the treatment
20 program.

21 **§ 80.104. Use of Hormone or Anti-Androgen Treatment**
22 **Program with Persons not Included in Pilot Program; Referrals to the**
23 **Program.**

24 Nothing in § 80.101 or § 80.102 of this Article prohibits the Parole
25 Board from requiring hormone or anti-androgen treatment for a person
26 whom the Department of Corrections did not screen or evaluate as described
27 in § 80.101 of this Article, or from referring to the Department of

1 Corrections for screening, evaluation or treatment, as provided for under §
2 80.101 of this Article, persons convicted of sex crimes.

3 **§ 80.105. Sunset Provision.** The pilot treatment program *shall*
4 come to an end forty-eight (48) months after the date of implementation of
5 this treatment program. A detailed evaluation report, which addresses the
6 effectiveness and financial impact of the pilot treatment program *shall* be
7 provided by the Director of Department of Corrections to *I Liheslaturan*
8 *Guahan* by the thirty-sixth (36th) month of the implementation of this
9 treatment program to determine if new legislation should be passed
10 authorizing its continuation.”

11 **Section 3. Effective Date.** The provisions of this Act *shall* become
12 effective upon enactment.