

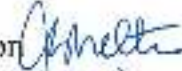
I Mina'trentai Singko Na Liheslaturan Guåhan  
BILL STATUS

| BILL NO.     | SPONSOR                                                                                                                    | TITLE                                                                                                                                                                                                                                                                 | DATE INTRODUCED     | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|--------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 157-35 (COR) | Amanda L. Shelton<br>Tina Rose Muña Barnes<br>Telen Cruz Nelson<br>Joe S. San Agustin<br>James C. Moylan<br>Louise B. Muña | AN ACT TO ADD A NEW § 89.16 TO CHAPTER 89 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING CONVICTED SEXUAL OFFENDERS, WHOSE CASES ARE UNDER APPEAL, TO RETAIN THEIR ABSOLUTE DUTY TO REGISTER AT THE JUDICIARY OF GUAM, PROBATION DIVISION, AS A SEX OFFENDER. | 6/6/19<br>2:42 p.m. |               |               |                     |                             |              |       |

**I MINA' TRENTAI SINGKO NA LIHESLATURAN GUÁHAN**  
**2019 (FIRST) Regular Session**

Bill No. 157-85(COR)

Introduced by:

Amanda L. Shelton   
Tina Rose Muna Barnes   
Telen Cruz Nelson   
Joe S. San Agustin   
James C. Moylan   
Louise Borja Muna 

**AN ACT TO ADD A NEW § 89.16 TO CHAPTER 89 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING CONVICTED SEXUAL OFFENDERS, WHOSE CASES ARE UNDER APPEAL, TO RETAIN THEIR ABSOLUTE DUTY TO REGISTER AT THE JUDICIARY OF GUAM, PROBATION DIVISION, AS A SEX OFFENDER.**

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

**Section 1. Legislative Intent.** *I Liheslatura* finds that the sex offender registry was established by Public Law 25-75 in 1999 with the intent to protect the members of our island community from sexual offenders by monitoring those offenders and making their information accessible to the public. This information includes the name, date of birth, list of offenses, home address, work address, physical description, headshot, and known vehicles of the offender. This database is vital to protect existing victims, to deter recidivism among offenders, and to prevent future sexual offenses.

In 1994, the United States Congress passed the Wetterling Act, which mandates that all 50 states maintain a sex offender registry. After many amendments and other federal legislation aiming to improve sex offender registration laws, Congress passed the Sex Offender Registration and Notification Act (SORNA) in

2019 JUN -6 PM 2:42 PM

1 2006 which established national standards for sex offender registration and the list  
2 of information that should be made available to the public. A study published in  
3 the *Journal of Law and Economics*, finds registration reduces the number of sex  
4 offenses by about 13%. As such *I Liheslatura* finds sex offender registries to be a  
5 vital tool in informing the public and preventing further victimization.

6 *I Liheslatura* finds that survivors of sexual assault whose perpetrators are  
7 under appeal have found that their perpetrators have not had to register with the sex  
8 offender registry and have gone on to jobs around a similar demographic of women  
9 as the survivors, which potentially puts a new group of women at risk. Therefore it  
10 is the intent of *I Liheslatura* to close this loophole and ensure that sex offenders are  
11 registered even while undergoing appeal.

12 **Section 2.** There is hereby *added* a new § 89.16 to Chapter 89 of Title 9, Guam  
13 Code Annotated, to read as follows:

14 **“§ 89.16. Cases Under Appeal**

15 a) Convicted Sex Offenders whose cases are under appeal shall remain  
16 required to register as a sex offender, in accordance with their level of offense  
17 and § 89.03 of this chapter, unless acquitted of all violations listed in § 89.01  
18 (b), (c), and (d).”

19 b) Notwithstanding any other provision of law, no judge shall be  
20 allowed to waive the requirement of any defendant to register as a sex  
21 offender, including when the defendant’s case is under appeal.

22 **Section 3.** This Act *shall* become effective upon enactment.  
23