



Judiciary of Guam

Guam Criminal Law and Procedure Review Commission
Guam Judicial Center • 120 West O'Brien Dr • Hagåtña, Gu. 96910
Tel: (671) 475-3278 • Fax: (671) 475-3140



HON. ROBERT J. TORRES
CHIEF JUSTICE

HON. ALBERTO C. LAMORENA, III
PRESIDING JUDGE

HON. JONATHAN R. QUAN
CHAIRMAN

ANDREW SERGE QUENGA
EXECUTIVE DIRECTOR

April 03, 2023

Hon. Robert J. Torres
Chief Justice
Supreme Court of Guam
120 W. O'Brien Drive
Hagåtña, Guam 96910

RE: Criminal Law and Procedure Review Commission; Submission of First Quarter Report 2023

Håfa Adai Chief Justice Torres:

The Criminal Law and Procedure Review Commission (the "Commission") submits its First Quarter Report for 2023 (the "Report"), as required by 1 GCA § 25.07(a).

Should you have any questions, please contact the Commission's Executive Director, Andrew Serge Quenga, at (671) 4756-3278 or aquenga@guamcourts.org.

Senseramente,


Magistrate Judge Jonathan R. Quan
Chairman


Andrew Serge Quenga
Executive Director



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EXECUTIVE DIRECTOR

April 03, 2023

Hon. Lourdes A. Leon Guerrero
Governor
Office of the Governor of Guam
Ricardo J. Bordallo Governor's Complex, Adelup
P.O. Box 2950
Hagåtña, Guam 96910

RE: Criminal Law and Procedure Review Commission; Submission of First Quarter Report 2023

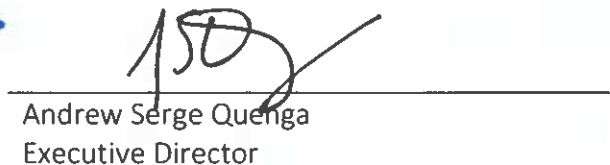
Håfa Adai Governor Leon Guerrero:

The Criminal Law and Procedure Review Commission (the "Commission") submits its First Quarter Report for 2023 (the "Report"), as required by 1 GCA § 25.07(a).

Should you have any questions, please contact the Commission's Executive Director, Andrew Serge Quenga, at (671) 4756-3278 or aquenga@guamcourts.org.

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EXECUTIVE DIRECTOR

April 03, 2023

Hon. Therese M. Terlaje
Speaker
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910


RE: Criminal Law and Procedure Review Commission; Submission of First Quarter Report 2023

Håfa Adai Speaker Terlaje:

The Criminal Law and Procedure Review Commission (the "Commission") submits its First Quarter Report for 2023 (the "Report"), as required by 1 GCA § 25.07(a).

Should you have any questions, please contact the Commission's Executive Director, Andrew Serge Quenga, at (671) 4756-3278 or aquenga@guamcourts.org.

Senseramente,


Magistrate Judge Jonathan R. Quan
Chairman


Andrew Serge Quenga
Executive Director

GUAM CRIMINAL LAW AND PROCEDURE REVIEW COMMISSION
2023 FIRST QUARTER REPORT

SUBMITTED TO THE
GOVERNOR OF GUAM,
SPEAKER OF THE GUAM LEGISLATURE, AND
CHIEF JUSTICE OF GUAM

April 4, 2023

GUAM CRIMINAL LAW AND PROCEDURE REVIEW COMMISSION
JUDICIARY OF GUAM
GUAM JUDICIAL CENTER
120 WEST O'BRIEN DRIVE
HAGÁTÑA, GUAM 96910

GUAM CRIMINAL LAW AND PROCEDURE REVIEW COMMISSION
2023 FIRST QUARTER REPORT

PREFACE

The Guam Criminal Law and Procedure Review Commission (CLRC or Commission) submits its inaugural quarterly report summarizing its activities as required by 1 GCA § 25.07(a). Because the CLRC began operations in January of 2023, quarterly reports are based on the calendar year, rather than the fiscal year. This first quarter report summarizes activities from January 1, 2023 through March 31, 2023.

CLRC STATUTORY AUTHORITY

The CLRC was created by *I Liheslaturan Guahan* in Public Law 36-119 (enacted Nov. 9, 2022) to conduct the first complete review of Guam’s Criminal Codes of Guam and Criminal Procedure Codes since their creation by the 13th Guam Legislature in 1976. Under P.L. 36-119, the CLRC exists as a division of the Supreme Court of Guam and receives administrative support from the Judiciary of Guam. Under P.L. 36-119, the Commission is composed of 15 members representing the three branches of government, the Guam Bar Association (to include attorneys with prosecutorial and criminal defense experience), full-time and retired judicial officers, directors of government criminal justice and public safety agencies, and private individuals from community-based and public interest organizations relating to the criminal justice system. It is chaired by Superior Court Magistrate Judge Jonathan R. Quan and administered by a full-time Executive Director and one staffer. The Chairman and Executive Director have appointed three ex-officio, non-voting (auxiliary) members to assist in review.

Review by Commission members and staff will include an intensive, section-by-section review of all chapters in Titles 8 and 9, as well as chapters of other Titles that contain substantive criminal statutes. The CLRC has a 24-month timeline to conduct its review and submit its final report and recommendations.

CLRC STAFF AND MEMBERS

Governor’s Appointees	Hon. Anita A. Sukola; Ms. Valerie Reyes ¹
Speaker’s Appointees	Attorneys Phillip Tydingco; Michael Phillips; Christine Tenorio
Chief Justice’s Appointees	Hon. Jonathan R. Quan; Attorney F. Randall Cunliffe; Mr. Monty McDowell
Guam Bar President Appointees	Attorneys Joseph B. McDonald; William B. Brennan
Statutory Members	Attorney General of Guam; Chief of Police; Director of Corrections; Executive Director of Public Defender Service Corp.
Compiler of Laws	Geraldine Cepeda
Staff	Andrew Serge Quenga, Executive Director; Valerie Cruz, Management Officer
Ex-officio (auxiliary)	Hon. Elizabeth Barrett-Anderson; Attorneys Kat Siguenza, Sean Brown, Brian Eggleston

¹ Hon. Elizabeth Barrett-Anderson stepped down as an appointed member due to her prior obligations to the Criminal Injuries Compensation Commission. However, Judge Barrett-Anderson continues to contribute as a non-voting, ex-officio (auxiliary) member.

SIGNIFICANT CLRC ACTIVITIES JANUARY – MARCH 2023

Under the direction of Chairman Quan, four Subcommissions (Crimes Against Persons, Crimes Relating to Property, Drug & Other Criminal Offenses, and Criminal Procedure) were created and members of the CLRC were assigned to each Subcommission. At the CLRC’s first plenary meeting, a Work Plan was presented which outlined the approach to the review of statutes for consideration of amendments, repeals or no changes. Worksheets for amendments and repeals were disseminated and chapters of Title 9 Guam Code Annotated were assigned.

Review of statutes will be done in three phases. In Phase 1, Subcommissions will perform a first pass in review of existing laws and recommend changes. In this Phase 1, PL 36-119 contemplates that members will base their review of Guam criminal statutes on the Model Penal Code and U.S. jurisdictions with recently reformed or revised criminal codes such as Hawaii and the District of Columbia where recent revisions have been done. Commission staff has provided members with copies of relevant sections of laws from those authorities. In Phase 2, if a Subcommission decides to amend a statute, it will do a deeper dive for closer and more critical scrutiny of suggested changes and finalize recommended amendments. In Phase 3, Subcommissions will present their recommendations to the Plenary Commission. All members of the Plenary Commission will have the opportunity to provide comments and suggestions. The Plenary Commission will vote to accept changes or request further review.

The Commission reports the following timeline of significant events during the first quarter of 2023:

DATE	EVENT
November 9, 2022	Enactment of Public Law 36-119, the Guam Criminal Law and Procedure Review Commission Act
December 2, 2022	Appointment of Andrew S. Quenga as Acting Executive Director
December 16, 2022	Appointment of Attorneys Phillip Tydingco and Christine Tenorio as Members by Speaker Therese M. Terlaje
December 23, 2022	Appointment of Attorney Michael F. Phillips as Member by Speaker Therese M. Terlaje
December 27, 2022	Appointment of Magistrate Judge Jonathan R. Quan (Chairman), Attorney F. Randall Cunliffe and Mr. Monty McDowell as Members by then Chief Justice F. Philip Carbullido.
January 4, 2023	Appointment of Attorneys Joseph B. McDonald and William B. Brennan as Members by Guam Bar Association President Jacqueline Taitano Terlaje
January 10, 2023	Appointment of Andrew S. Quenga as Executive Director by then-Chief Justice F. Philip Carbullido

GUAM CRIMINAL LAW AND PROCEDURE REVIEW COMMISSION
2023 FIRST QUARTER REPORT

DATE	EVENT
January 11, 2023	Appointment of Hon. Elizabeth Barrett-Anderson, Hon. Anita A. Sukola and Ms. Valerie Reyes as Members by Governor Lourdes Leon Guerrero
January 13, 2023	Initial Planning and Organization Plenary Meeting (meeting minutes are available on the CLRC webpage)
February 9, 2023	Second Plenary Meeting (meeting minutes are available on the CLRC webpage)
March 17, 2023	Submission of Subcommission quarterly reports
March 31, 2023	Launch of CLRC webpage
March 31, 2023	End of First Quarter 2023

The Commission presents the following progress report of its four Subcommissions

SUBCOMMISSION	TITLE 9 CRIMES & CORRECTIONS Chapters Under Review	TITLE 9 CRIMES & CORRECTIONS Chapters Planned for Review
Crimes Against Persons	7, 16, 17, 19, 22, 25	25A, 26A, 31, 40, 92
Relating to Property	32, 34, 37, 42	46, 47, 48, 49
Drugs & Other Criminal Offenses	90 Articles 1, 2, 3, 4, 5	90 Articles 6, 7 58
Criminal Procedure	71, 80, 81, 82, 84, 85, 86, 87, 88, 89, 93	Title 8 review commencing

All Subcommissions have convened in working meetings during this First Quarter. Meeting dates and summarized details of each Subcommission’s review are provided in Attachment 1. Recommendations on amendments and repeals will be considered for approval at forthcoming Plenary Commission meetings.

CONCLUSION

The Commission’s work in this inaugural first quarter focused on learning, refining and beginning the review of criminal statutes. Processes and practices will continue to be refined and improved to ensure the timely completion of statutory mandates to the best of the Commission’s ability.

ATTACHMENT 1 - SUBCOMMISSION REPORTS

Criminal Law and Procedure Revision Commission Subcommission Quarterly Report Template

Subcommission Name: Crimes Against Persons

Chair: Joseph B. McDonald

Members: Steve Ignacio, Stephen Hattori, Christine Tenorio (appointees)
David Brantley, John Morrison (Designees)
Sean Brown (ex-officio)

Dates of subcommission meetings: Jan. 23, March 2 and 17, 2023

Past activity:

1. List of Chapter (and Article, if applicable) reviewed.

7, 16, 17, 19, 22, 25

2. Brief summary of subcommission's findings/conclusions for each Chapter/Article, using the Excel spreadsheet for guidance.

All chapters tabled pending analysis and group consensus on recommended action.

3. Brief recommendation for each Chapter/Article already reviewed.

All chapters tabled pending analysis and group consensus on recommended action.

Current and future activity:

1. List of Chapters/Articles currently under review and to be reviewed in future subcommission meetings.

All chapters above. Chapters 25A, 26A, 31, 40, 92.

2. List of future subcommission meeting dates

March 21, 2023. The Chair intends to have meetings every 2 weeks once a set weekday is finalized with the group.

CLRC Subcommittee Report

Subcommittee: Persons Property Drugs & Other Procedure

Reporting period:

Jan-Mar 2023 April-June 2023 July-Sept 2023 Oct-Dec 2023
 Jan-Mar 2024 April-June 2024 July-Sept 2024 Oct-Dec 2024

Chair: Joseph B. McDonald

3/17/23

Members: Appointees: Steve Ignacio, Stephen Hattori, Christine Tenorio; designees David Brantley, John Morrison; ex officio Sean Brown

Dates of subcommittee meetings: 1/23/23; 3/2/23; 3/17/23

Completed and/or ongoing review of the following:

Chapter number 7 Chapter name Exemptions and Defenses

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Pending analysis and group consensus on recommended action.

Chapter number 16 Chapter name Criminal Homicide

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Pending analysis and group consensus on recommended action.

Chapter number 17 Chapter name Unborn victims of violence

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Pending analysis and group consensus on recommended action.

Chapter number 19 Chapter name Assault, Reckless Endangering, Terrorizing

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Pending analysis and group consensus on recommended action.

Chapter number 22 Chapter name Kidnapping and Related Offenses

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Pending analysis and group consensus on recommended action.

Chapter number 25 Chapter name Sexual offenses

If applicable, Article number _____ Article name _____

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Pending analysis and group consensus on recommended action.

Future meeting dates: 3/21/23. The Chair intends to have meetings every 2 weeks once a set weekday day is finalized with the group.

Planned review of the following:

Chapter number 25A Chapter name Solicitation of Children and Child Pornography

If applicable, Article number _____ Article name _____

Chapter number 26A Chapter name Human Trafficking and Criminal Exploitation

If applicable, Article number _____ Article name _____

Chapter number 31 Chapter name Offenses against the Family

If applicable, Article number _____ Article name _____

Chapter number 40 Chapter name Robbery

If applicable, Article number _____ Article name _____

Chapter number 92 Chapter name Infant Child's Right to Life Act

If applicable, Article number _____ Article name _____

**Criminal Law And Procedure Review Commission
Subcommission Quarterly Report**

Sucommission Name: *Crimes Against Property Subcommission*

Chair: *Phillip Tydingco*

Members: *F. Randall Cunliffe, Monty McDowell, William B. Brennan*

Dates of Subcommission Meetings: *March 8, 2023, March 15, 2023*

Past Activity:

1. List of Chapter (and Article, if applicable) reviewed.
 - In Progress: 32, 34, 37
2. Brief Summary of subcommission's findings/conclusions for each Chapter/Article using the Excel Spreadsheet for guidance.
 - We are refining our Subcommittee work plan and tasks to determine how to approach assigned Chapters in most efficient manner
 - We have found that comprehensive review of statutory source material is time consuming. Some source material in the Guam Code Annotated is incomplete.
3. Brief recommendation for each Chapter/Article already reviewed.
 - In progress
 - The following statutes are identified for potential amendment: 9 G.C.A. §§ 32.40, 34.20, 34.50, 46.31(b)(1), Chapter 32

Current and future activity:

1. List of Chapters/Articles currently under review and to be reviewed in future subcommittee meetings.
 - Next: 46, 47, 48, 49
2. List of future subcommission meeting dates.
 - Confirmed: April 12, 2023; Tentative: April 19, 2023, May 18, 2023

CLRC Subcommittee Report

Subcommittee: Persons Property Drugs & Other Procedure

Reporting period:

Jan-Mar 2023 April-June 2023 July-Sept 2023 Oct-Dec 2023
 Jan-Mar 2024 April-June 2024 July-Sept 2024 Oct-Dec 2024

Chair: Phil Tydingco

Members: F. Randall Cunliffe, Monty McDowell, William B. Brennan

Dates of subcommittee meetings: March 8, 2023 and March 15, 2023

Completed and/or ongoing review of the following:

Chapter number 32 Chapter name Financial Exploitation of the Elderly and Individuals with Disabilities

If applicable, Article number _____ Article name _____

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Refining our plan and tasks. Some GCA source material incomplete. Possible amendment of Section 32.40.

Chapter number 34 Chapter name Arson, Negligent Burning, Criminal Mischief

If applicable, Article number _____ Article name _____

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Refining our plan and tasks. Some GCA source material incomplete. Possible amendment of Section 34.50.

Chapter number 37 Chapter name Burglary and Home Invasion

If applicable, Article number _____ Article name _____

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Refining our plan and tasks. Some GCA source material incomplete.

Chapter number 46 Chapter name _____

If applicable, Article number _____ Article name _____

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Refining our plan and tasks. Some GCA source material incomplete. Possible amendment of Section 46.31(b)(1).

Chapter number _____ Chapter name _____

If applicable, Article number _____ Article name _____

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: _____

Chapter number ____ Chapter name _____
If applicable, Article number ____ Article name _____
Recommended action: No change Amend Repeal Tabled*
*Reason for tabling action: _____

Future meeting dates: April 12, 2023 (confirmed); April 19 and May 18, 2023 (tentative)

Planned review of the following:

Chapter number 47 Chapter name _____
If applicable, Article number ____ Article name _____

Chapter number 48 Chapter name _____
If applicable, Article number ____ Article name _____

Chapter number 49 Chapter name _____
If applicable, Article number ____ Article name _____

Chapter number ____ Chapter name _____
If applicable, Article number ____ Article name _____

Chapter number ____ Chapter name _____
If applicable, Article number ____ Article name _____

**Criminal Law and Procedure Revision Commission
Subcommission Quarterly Report Template**

Subcommission Name: Drugs & Other Criminal Offenses

Chair: Geraldine Cepeda (Acting)

Members: Hon. Elizabeth Barrett-Anderson, Robert Camacho, Major Antone Aguon,
Mark Perez, Attorney Mike Phillips, Michael Quinata, Valerie Reyes,
Attorney Kat Siguenza.

Dates of subcommission meetings: Feb. 13 and 27, 2023; Mar. 13, 2023.

Past activity:

1. List of Chapter (and Article, if applicable) reviewed.

Chapter 90, Articles 1-5

2. Brief summary of subcommission's findings/conclusions for each Chapter/Article, using the Excel spreadsheet for guidance.

The subcommittee conducted close and extensive examination of each provision, guided by the representatives from DOC. See quarterly report form and spreadsheet attached.

3. Brief recommendation for each Chapter/Article already reviewed.

See quarterly report form and spreadsheet attached.

Current and future activity:

1. List of Chapters/Articles currently under review and to be reviewed in future subcommission meetings.

Chapter 90 Articles 6 and 7; Chapter 58.

2. List of future subcommission meeting dates:

Mar. 27, 2023 (Monday)

CLRC Subcommittee Report

Subcommittee: Persons Property Drugs & Other Procedure

Reporting period:

Jan-Mar 2023 April-June 2023 July-Sept 2023 Oct-Dec 2023
 Jan-Mar 2024 April-June 2024 July-Sept 2024 Oct-Dec 2024

Chair: Geraldine Cepeda (Acting)

Members: Hon. E. Barrett-Anderson, Dir. Robert Camacho, Maj. Antone Aguon; Mark Perez - DOC
Chief Michael Quinata, Parole Bd; Atty. Kat Fokas Siguenza; Not present: Atty Mike Phillips; Valerie Reyes

Dates of subcommittee meetings: Feb. 13, 2023; February 27, 2023; March 13, 2023

Completed and/or ongoing review of the following:

Chapter number 90 Chapter name Corrections
If applicable, Article number 1 Article name Department of Corrections
Recommended action: No change Amend Repeal Tabled*
*Reason for tabling action: _____

Chapter number 90 Chapter name Corrections
If applicable, Article number 2 Article name Western Interstate Corrections Compact
Recommended action: No change Amend Repeal Tabled*
*Reason for tabling action: _____

Chapter number 90 Chapter name Corrections
If applicable, Article number 3 Article name Interstate Compact on Juveniles
Recommended action: No change Amend Repeal Tabled*
*Reason for tabling action: _____

Chapter number 90 Chapter name Corrections
If applicable, Article number 4 Article name Prison Industries
Recommended action: No change Amend Repeal Tabled*
*Reason for tabling action: _____

Chapter number 90 Chapter name Corrections
If applicable, Article number 5 Article name Transfer Pursuant to Treaty
Recommended action: No change Amend Repeal Tabled*
*Reason for tabling action: _____

Chapter number _____ Chapter name _____
If applicable, Article number _____ Article name _____
Recommended action: No change Amend Repeal Tabled*
*Reason for tabling action: _____

Future meeting dates: March 27, 2023 (Monday)

Planned review of the following:

Chapter number 90 Chapter name Corrections
If applicable, Article number 6 Article name Civilian Corrections Reserve Program

Chapter number 90 Chapter name Corrections
If applicable, Article number 7 Article name DOC Modernization Act of 2021

Chapter number 58 Chapter name Escape and Related Offenses
If applicable, Article number _____ Article name _____

Chapter number _____ Chapter name _____
If applicable, Article number _____ Article name _____

Chapter number _____ Chapter name _____
If applicable, Article number _____ Article name _____

Chapter number	Section number	Title	Recommend: (No change/ Repeal/Amend)	Suggested changes (if any)
90	Article 1.	Department of Corrections		
	§ 90.10.	Definitions	Amend	Renumber to § 90101. Add definitions
	§ 90.15.	General Duties of Department of Corrections.	Amend	Renumber and rename to § 90102. Mission Statement. New substantive language.
	§ 90.16.	Minimum Qualifications for Department of Corrections Officers.	Amend	Renumber to § 90103. NewNew substantive language.
	§ 90.16.1	Annual Corrections Officer Recruits Training Cycle	Amend	Renumber to § 90104. New substantive language.
	§ 90.20.	Corrections Advisory Council Established.	Repeal	
	§ 90.25.	Director to Establish Prisons.	Amend	Incorporate with § 90105. General Powers and Duties of Director
	§ 90.27.	Prison May Serve as Overflow Lock-Up.	Amend	Renumber to § 90106. Delete existing language.
	§ 90.30.	Rules, Regulations & Disciplinary Rules Authorized.	Amend	Incorporate with § 90105. General Powers and Duties of Director
	§ 90.35.	Director to Control Organization of DOC; Appoint Staff.	Amend	Incorporate with § 90105. General Powers and Duties of Director
	§ 90.40.	General Duties of Director of Corrections.	Amend	Renumber and rename to § 90105. General Powers and Duties of Director. New substantive language.
	§ 90.41.	Inmate Commissary.	Amend	Renumber to § 90115
	§ 90.42.	Operation of Inmate Commissary.	Amend	Renumber to § 90116. New substantive language.
	§ 90.43.	Corrections Commissary Fund.	Amend	Renumber to § 90117. New substantive language.
	§ 90.44.	Inmate Phone Access Act of 2021.	Amend	Renumber to § 90118. New substantive language, delete existing language.
	§ 90.45.	Authorization to Transfer Prisoners to Federal Correctional Institutions.	Amend	Renumber to § 90107
	§ 90.46.	Emergency Transfers of Inmates.	Amend	Renumber to § 90108

	§ 90.47.	Inmate Transfer: Non-Emergency.	Amend	Renumber and rename to § 90109 Non-Emergency Transfers of Inmates
	§ 90.47.01.	Same: Disciplinary Transfer.	Amend	Renumber and rename to § 90110 Disciplinary Transfers of Inmates
	§ 90.47.02.	Same: Non-disciplinary Transfer.	Amend	Renumber and rename to § 90111 Non-Disciplinary Transfers of Inmates
	§ 90.47.03.	Same: Procedures for Transfers.	Amend	Renumber and rename to § 90112 Procedures for Transfers of Inmates. New substantive language, delete existing language.
	§ 90.47.05.	Same: Basis of Determination.	Repeal	
	§ 90.47.04.	Same: Appeal from Determination.	Repeal	
	§ 90.48.	Nursing Mothers-Accommodations.	Amend	Renumber to § 90114
	§ 90.49.	Corrections Revolving Fund	Amend	Renumber to § 90113
90	Article 2.	Western Interstate Corrections Compact		
	§ 90.50.	Purpose of Article.	Amend	Renumber to § 90201
	§ 90.51	Compliance to §§ 90.46-90.48.	Amend	Renumber to § 90202
	§ 90.52.	Compact Stated.	Amend	Renumber to § 90203
	§ 90.54.	Director, Department of Corrections May Commit Prisoner Outside of Guam Pursuant to Terms of Compact.	Amend	Renumber to § 90204. Change references from Prisoner to Inmate
	§ 90.56.	All Agencies of Government of Guam Shall Enforce Compact.	Amend	Renumber to § 90205
	§ 90.58.	Director, Department of Corrections May Hold Hearings as Required by Compact.	Amend	Renumber to § 90206
	§ 90.60.	Governor May Contract to Implement Compact.	Amend	Renumber to § 90207
	§ 90.62.	Guam to Provide Transportation to Guam Resident Ending Sentence Out-of-Guam.	Amend	Renumber to § 90208
	§ 90.64.	Severability.	Amend	Renumber to § 90209

	Effective Date.	Amend	Renumber to § 90210
90	§ 90.66. Article 3. Interstate Compact on Juveniles	Amend	Renumber to § 90210
			Move to Title 19, Chapter 20 Department of Youth Affairs, as a new article. Note there is a an updated compact. https://www.juvenilecompact.org/compact-statute
	§ 90.80. Purpose of Article: Title.	Amend	
	§ 90.82. Governor to Execute Compact: Compact Stated.	Amend	Move to Title 19, Chapter 20 Department of Youth Affairs, as a new article. Note there is a an updated compact.
	§ 90.84. Chief Judge of Superior Court to be Compact Administrator: Duties.	Amend	Move to Title 19, Chapter 20 Department of Youth Affairs, as a new article. Note there is a an updated compact.
		Amend	ADD § 90301 et seq. New Interstate Corrections Compact https://apps.csg.org/ncic/PDF/Interstate%20Corrections%20Compact.pdf
90	Article 4. Prison Industries		
	§ 90.90. Prison Industries, Established.	Amend	Renumber to § 90401
	§ 90.91. Prison Industries Revolving Fund.	Amend	Renumber to § 90402
90	Article 5. Transfer Pursuant to Treaty		
	§ 90.100. Untitled.	Amend	Move to Article 1. Rename and renumber
90	Article 6. Civilian Corrections Reserve Program.		
	§ 90.201.		
	§ 90.202.		
	§ 90.203.		
	§ 90.204.		
	§ 90.205.		
	§ 90.206.		
	§ 90.207.		
	§ 90.208.		
	§ 90.209.		

**Criminal Law and Procedure Revision Commission
Subcommission Quarterly Report**

Subcommission Name: Subcommission on Criminal Procedure

Chair: Hon. Anita A. Sukola

Members: Marianne Woloschuk, Serge Quenga, Brian Eggleston

Dates of subcommission meetings: March 16, 2023

Past activity:

1. List of Chapter (and Article, if applicable) reviewed.

This subcommission is primarily responsible for review of Title 8 (the Criminal Procedure Code). As the CLRC is mandated to prioritize the review of Title 9, the Chairman requested our review of the following chapters Title 9 Chapters: 71, 80, 81, 82, 84, 85, 86, 87, 88, 89, 93.

2. Brief summary of subcommission's findings/conclusions for each Chapter/Article, using the Excel spreadsheet for guidance.

Please refer to the attached quarterly report form and spreadsheet tracker.

3. Brief recommendation for each Chapter/Article already reviewed.

Please refer to the attached quarterly report form and spreadsheet tracker.

Current and future activity:

1. List of Chapters/Articles currently under review and to be reviewed in future subcommission meetings.

This Subcommission will begin reviewing Title 8 and any other chapters in Title 9 at the request of the Chairman.

2. List of future subcommission meeting dates.

Our next meeting is scheduled for March 31, 2023 and every two weeks thereafter.

CLRC Subcommission Report

Subcommittee: Persons Property Drugs & Other Procedure

Reporting period:

Jan-Mar 2023 April-June 2023 July-Sept 2023 Oct-Dec 2023
 Jan-Mar 2024 April-June 2024 July-Sept 2024 Oct-Dec 2024

Chair: Hon. Anita Sukula

Members: Marianne Woloshuk, Serge Quenga, Brian Eggleston (ex-officio, auxiliary)

Dates of subcommittee meetings: March 16, 2023 (Sukola, Woloshuk, Eggleston, Quenga)

Completed and/or ongoing review of the following: All chapters below are in Title 9 GCA.

Chapter number 71 Chapter name Gun-Free School Zone Act of 2004

If applicable, Article number _____ Article name _____
Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Firearms involved. Recommend review by CAP, with GPD.
Comments and recommendations will be shared with CAP.

Chapter number 80 Chapter name Disposition of Offenders

If applicable, Article number _____ Article name _____
Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves Corrections. Recommend review by DOCO, with DOC.
Comments and recommendations will be shared with DOCO.

Chapter number 81 Chapter name Reduction of Sentences

If applicable, Article number _____ Article name _____
Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves Corrections. Recommend review by DOCO, with DOC.
Comments and recommendations will be shared with DOCO.

Chapter number 82 Chapter name Loss and Restoration of Rights Incident to Conviction or Imprisonment

If applicable, Article number _____ Article name _____
Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves Corrections. Recommend review by DOCO, with DOC.
Comments and recommendations will be shared with DOCO.

Chapter number 84 Chapter name Rehabilitation and Development Program

If applicable, Article number _____ Article name _____
Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves Corrections. Recommend review by DOCO, with DOC.
Comments and recommendations will be shared with DOCO.

Chapter number 85 Chapter name Territorial Parole Board

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves Corrections. Recommend review by DOCO, with DOC.

Continued in Part 2 of 2.

Comments and recommendations will be shared with DOCO.

Future meeting dates: March 31, 2023 and every two weeks thereafter.

Planned review of the following: Will begin review of Title 8.

Chapter number Chapter name

If applicable, Article number Article name

Chapter number Chapter name

If applicable, Article number Article name

Chapter number Chapter name

If applicable, Article number Article name

Chapter number Chapter name

If applicable, Article number Article name

Chapter number Chapter name

If applicable, Article number Article name

Subcommission on Criminal Procedure 1st Quarterly Report March 17, 2023 (Part 2 of 2)

CLRC Subcommission Report

Subcommittee: Persons Property Drugs & Other Procedure

Reporting period:

Jan-Mar 2023 April-June 2023 July-Sept 2023 Oct-Dec 2023
 Jan-Mar 2024 April-June 2024 July-Sept 2024 Oct-Dec 2024

Chair: Hon. Anita Sukula

Members: Marianne Woloshuk, Serge Quenga, Brian Eggleston (ex-officio, auxiliary)

Dates of subcommittee meetings: March 16, 2023 (Sukola, Woloshuk, Eggleston, Quenga)

Completed and/or ongoing review of the following: All chapters below are in Title 9 GCA.

Chapter number 86 Chapter name Compensation for Damages from Criminal Activities

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Chapter has no content. Recommend removal by COL (if possible) or repeal by Legislature.

Chapter number 87 Chapter name Victim Notification

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Chapter has no content. Recommend removal by COL (if possible) or repeal by Legislature.

Chapter number 88 Chapter name Criminal Justice Substance Act

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves Corrections. Recommend review by DOCO with DOC.

Comments and recommendations will be shared with DOCO.

Chapter number 89 Chapter name Crimes Against Minors and Sex Offender Registry

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves sex offenders and electronic monitoring. Recommend review by all CAP, DOCO, Chair.

Comments and recommendations will be shared with all concerned members.

Chapter number 93 Chapter name Criminal Sexual Conduct Assessment and Rehabilitation Act

If applicable, Article number Article name

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: Involves sex offenders. Recommend review by CAP and DOCO.

Comments and recommendations will be shared with CAP and DOCO.

Chapter number ___ Chapter name _____

If applicable, Article number ___ Article name _____

Recommended action: No change Amend Repeal Tabled*

*Reason for tabling action: _____

Future meeting dates: March 31, 2023 and every two weeks thereafter.

Planned review of the following: Will begin review of Title 8.

Chapter number ___ Chapter name _____

If applicable, Article number ___ Article name _____

Chapter number ___ Chapter name _____

If applicable, Article number ___ Article name _____

Chapter number ___ Chapter name _____

If applicable, Article number ___ Article name _____

Chapter number ___ Chapter name _____

If applicable, Article number ___ Article name _____

Chapter number ___ Chapter name _____

If applicable, Article number ___ Article name _____

Subcommission on Criminal Procedure 1st Quarterly Report

Chapter number	Section number	Title	Recommend: (No change/ Repeal/Amend)	Suggested changes (if any)
71		The Guam Gun-Free School Zone Act of 2004	Table	Firearms involved. Recommend review by CAP, with GPD. Comments and recommendations will be shared with CAP.
80		Disposition of Offenders	Table	Involves Corrections. Recommend review by DOCO, with DOC. Comments and recommendations will be shared with DOCO.
81		Reduction of Sentences	Table	Involves Corrections. Recommend review by DOCO, with DOC. Comments and recommendations will be shared with DOCO.
82		Loss and Restoration of Rights Incident to Conviction or Imprisonment	Table	Involves Corrections. Recommend review by DOCO, with DOC. Comments and recommendations will be shared with DOCO.
84		Rehabilitative and Development Program	Table	Involves Corrections. Recommend review by DOCO, with DOC. Comments and recommendations will be shared with DOCO.
85		Territorial Parole Board	Table	Involves Corrections. Recommend review by DOCO, with DOC. Comments and recommendations will be shared with DOCO.
86		Compensation for Damages from Criminal Activities	Repeal	Chapter has no content. Recommend removal by COL (if possible) or repeal by Legislature.
87		Victim Notification	Repeal	Chapter has no content. Recommend removal by COL (if possible) or repeal by Legislature.
88		Criminal Justice Substance Abuse Act	Table	Involves Corrections. Recommend review by DOCO with DOC. Comments and recommendations will be shared with DOCO.
89		Crimes Against Minors and Sex Offender Registry	Table	Involves sex offenders and electronic monitoring. Recommend review by all CAP, DOCO, Chair. Comments and recommendations will be shared
93		Criminal Sexual Conduct Assessment And Rehabilitation Act	Table	Involves sex offenders. Recommend review by CAP and DOCO. Comments and recommendations will be shared with CAP and DOCO.