


I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
250-38 (COR)	William A. Parkinson	AN ACT TO ADD A NEW § 40110 TO ARTICLE 1 OF CHAPTER 40, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO THE ISSUANCE AND EXTENSION OF PROTECTIVE ORDERS AT SENTENCING AND UPON RELEASE FROM INCARCERATION; AND TO CITE THIS ACT AS THE "VICTIM PROTECTION CONTINUITY ACT OF 2025."	12/30/25 9:07 a.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 250-38 (COR)

Introduced by:

William A. Parkinson 

AN ACT TO ADD A NEW § 40110 TO ARTICLE 1 OF CHAPTER 40, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO THE ISSUANCE AND EXTENSION OF PROTECTIVE ORDERS AT SENTENCING AND UPON RELEASE FROM INCARCERATION; AND TO CITE THIS ACT AS THE “VICTIM PROTECTION CONTINUITY ACT OF 2025.”

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that protective orders are essential tools for safeguarding victims of abuse,
4 harassment, stalking, and sexual offenses. While Guam law provides for protective
5 orders through civil proceedings, it does not explicitly authorize courts to issue such
6 orders at sentencing or upon release from incarceration. Nor does it extend protective
7 9 orders that expire during imprisonment.

8 *I Liheslatura* further finds that there is a documented pattern—both locally
9 and nationally—of individuals reoffending against the same victims or their family
10 members following release from custody. This statutory gap has real and
11 documented consequences. In Guam and across the United States, individuals
12 released from incarceration have reoffended against the same victims or their family
13 members—sometimes with tragic outcomes. Nationally, the Bureau of Justice
14 Statistics reports that over 60% of released prisoners are rearrested within three
15 years, and more than 70% within five years. While federal recidivism data does not
16 consistently track whether re-offenses involve the same victim, state-level reports

1 and case studies confirm that repeat victimization is especially prevalent in cases of
2 domestic violence and stalking. For example, the federal National Intimate Partner
3 and Sexual Violence Survey highlights high rates of revictimization among
4 survivors of intimate partner violence. Likewise, the 2022 Department of Justice
5 Report to Congress on Stalking confirms that repeat stalking by the same perpetrator
6 is common, particularly after release or when protective orders lapse. Moreover,
7 state-level fatality reviews in Texas and California have documented cases where
8 offenders reoffended post-release, sometimes fatally, due to the absence or
9 expiration of protective orders.

10 In Guam, law enforcement and victim advocacy organizations have reported
11 incidents where formerly incarcerated individuals resumed contact, intimidation, or
12 violence against those they were originally convicted of harming. These cases
13 underscore the urgent need for continuity of protection beyond the term of
14 incarceration.

15 Consequently, *I Liheslatura* acknowledges that other jurisdictions have
16 addressed this gap through statutory reforms. Notably, Texas Family Code §
17 85.025(c) provides that if a protective order is set to expire during a respondent’s
18 incarceration, it is automatically extended to remain in effect for one to two years
19 post-release, depending on the sentence length. Similarly, California Penal Code §
20 136.2 and New York Criminal Procedure Law § 530.12 authorize courts to issue or
21 extend protective orders at sentencing and during post-release supervision. These
22 models are built on the premise that reentry into society is a critical point at which
23 victims may again face heightened risk.

24 It is therefore the intent of *I Liheslaturan Guåhan* to adopt best practices from
25 these jurisdictions by empowering Guam’s courts to issue protective orders at key
26 stages of the criminal process and by automatically extending orders to cover the
27 high-risk post-release periods. By affirming the right of victims and their families to

1 remain protected from further harm, *I Liheslatura* aims to prevent the justice system
2 from inadvertently exposing them to renewed danger upon the offender’s reentry
3 into the community.

4 **Section 2.** This Act shall be cited as the “Victim Protection Continuity Act of
5 2025.”

6 **Section 3.** A new § 40110 is hereby *added* to Article 1, Chapter 40, Title 7,
7 Guam Code Annotated, to read as follows:

8 **“§ 40110. Protective Orders at Sentencing and Post-Incarceration**
9 **Extension.**

10 (a) In any criminal case involving abuse, harassment, stalking, sexual
11 offenses, or threats of violence, the court shall have authority to issue a
12 protective order at the time of sentencing, regardless of whether a prior civil
13 petition has been filed.

14 (b) If a protective order issued under Chapter 40, Chapter 40A, or
15 Chapter 40B of Title 7, Guam Code Annotated, or as a condition of release is
16 set to expire during the respondent's incarceration, it shall be automatically
17 extended and remain in effect until:

18 (1) one (1) year after the respondent's release from incarceration,
19 if the sentence imposed was more than five (5) years; or

20 (2) two (2) years after the respondent's release from
21 incarceration, if the sentence imposed was five (5) years or less.

22 (c) The court may also issue a new protective order upon the
23 respondent's release from incarceration, based on the original offense or any
24 credible threat to the petitioner or their family.

25 (d) The Clerk of the Superior Court shall update the expiration date of
26 any extended or newly issued order and notify the Guam Police Department,
27 Department of Corrections, and the petitioner.

1 (e) Any protective order issued under this section shall be enforceable
2 through criminal contempt, revocation of parole or probation, and any other
3 remedies available under Guam law.

4 (f) Nothing in this section shall preclude the petitioner from seeking a
5 further extension or modification of the order under existing law."

6 **Section 4. Effective Date.** This Act shall be effective upon enactment.

7 **Section 5. Severability.** If any provision of this Act or its application to any
8 person or circumstance is found to be invalid or inorganic, such invalidity shall not
9 affect other provisions or applications of this Act that can be given effect without
10 the invalid provision or application, and to this end the provisions of this Act are
11 severable.