




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
315-38 (COR)	Frank F. Blas, Jr. Shelly V. Calvo Tina Rose Muña-Barnes	AN ACT TO <i>ADD</i> A NEW ARTICLE 6, CHAPTER 7, TITLE 9, GUAM CODE ANNOTATED; RELATIVE TO ABOLISHING THE "ROUGH SEX" DEFENSE IN CASES OF SERIOUS INJURY OR DEATH AND TO BE CITED AS THE "KRYSTAL MITCHELL LAW".	5/11/26 10:43 a.m. ^5/15/26 3:12 p.m.						

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

Bill No. 315-38 (COR)

Introduced by:

Frank F. Blas, Jr. 
Shelly V. Calvo 
Tina Rose Muña-Barnes 

AN ACT TO ADD A NEW ARTICLE 6, CHAPTER 7, TITLE 9, GUAM CODE ANNOTATED; RELATIVE TO ABOLISHING THE “ROUGH SEX” DEFENSE IN CASES OF SERIOUS INJURY OR DEATH AND TO BE CITED AS THE “KRYSTAL MITCHELL LAW”.

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

2 **Section 1. Short Title.** This Act shall be cited as the “Krystal Mitchell
3 Law”.

4 **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan*
5 dedicates this Act to the memory of Krystal Jaye Mitchell, a beloved daughter,
6 mother, and advocate for justice whose life was tragically taken in 2016. Krystal’s
7 death, allegedly at the hands of a man who later fled and remained a fugitive for
8 years, highlights a disturbing and dangerous legal loophole: the use of the so-called
9 “rough sex” defense to diminish accountability in cases of violent assault and
10 homicide. Krystal’s mother, Josephine Funes Wentzel, a former Guam police
11 detective, has led a national and international movement through Angels of Justice
12 to ensure that no one else’s life is devalued under the pretense of “consensual rough
13 sex.”

1 In several jurisdictions, including the United Kingdom through its Domestic
2 Abuse Act 2021, the law has been clarified to ensure that a person cannot consent to
3 serious harm or death resulting from sexual activity.

4 *I Liheslaturan Guåhan* further finds that the people of Guam deserve the same
5 protection – that violence resulting in serious injury or death cannot be excused by
6 claims of sexual consent.

7 The purpose of this Act is to establish in Guam law that no person can lawfully
8 consent to their own serious harm or death, and that such consent shall not serve as
9 a defense or justification in any criminal prosecution.

10 **Section 3. A new Article 6 is added to Chapter 7, Title 9, Guam**
11 **Code Annotated to read:**

12 **“ARTICLE 6**

13 **KRYSTAL MITCHELL LAW**

14 **§ 7.211. Consent Not a Defense to Serious Harm or Death During**
15 **Sexual Activity.**

16 (a) It shall not be a defense to any charge of murder, manslaughter,
17 aggravated assault, or any offense under this Title involving serious bodily
18 injury or death that the victim consented to the infliction of such injury or
19 death for sexual gratification.

20 (b) for purposes of this Section:

21 (1) ‘Serious bodily injury’ means bodily injury which creates a
22 substantial risk of death or which causes serious, permanent
23 disfigurement or protracted loss of impairment of the function of any
24 bodily member or organ.

25 (2) ‘Sexual activity’ means any physical act of sexual contact,
26 whether or not intercourse occurred.

1 (3) ‘Rough sex defense’ refers to a claim by a defendant that the
2 victim’s consent to acts of violence during sexual activity excuses or
3 mitigates criminal liability for resulting serious harm or death.

4 (c) Consent to the infliction of pain, injury, or humiliation for sexual
5 gratification does not excuse or mitigate criminal liability when the conduct
6 results in serious bodily injury or death.

7 (d) Nothing in Title 9 shall preclude consideration of consent in
8 determining criminal liability for acts that do not result in serious bodily
9 injury.

10 **Section 4. Severability.** If any provision of this Act or its application to any
11 person or circumstance is found to be invalid or inorganic, such invalidity shall not
12 affect other provisions or applications of this Act that can be given effect without
13 the invalid provision or application, and to this end the provisions of this Act are
14 severable.

15 **Section 5. Effective Date.** This Act shall become effective immediately upon
16 enactment.