



Requirements to Petition the Office of the Attorney General to Remove a Name from the Family Violence Registry

The Family Violence Registry Act permits removal of a person's name under certain circumstances. Pursuant to 9 G.C.A. §30.200(d), the following requirements would need to be established in order for the Office of the Attorney General of Guam to even consider removing an individual's name from the registry. This section reads as follows:

“(d) The Office of the Attorney General *shall* permit a person whose name is included in the database established under this Section to petition the Department to remove the person's name from the Family Violence Registry database in response to the petition *if*:

- (1) a court order of expungement has been issued with respect to one (1) of two (2) of my family, domestic or dating violence, and/or stalking convictions, *unless* the person has two (2) or more additional convictions, or when a person was convicted of family, domestic or dating violence, and/or stalking offense with the special allegation of the use of a deadly weapon
- (2) during the ten (10) year period preceding the date of the petition, the person has *not since* been convicted of an offense described in §30.10, Chapter 30, Title 9, Guam Code Annotated. It is further provided, however:
 - (A) that the Office of the Attorney General *shall* conduct an investigation to see if any other convictions have occurred under circumstances for which there was a conviction of domestic, family or dating violence, and/or stalking, criminal sexual conduct, aggravated assault, and/or homicide, either on Guam or in any other jurisdiction of the United States. Any conviction for family, domestic, or dating violence, and/or stalking, criminal sexual conduct, aggravated assault, or homicide during the prior ten (10) year period *shall* be cause for the person *not* to be removed from the Family Violence Registry.

To ensure that any petition submitted to the Office of the Attorney General for removal from the family violence registry database is handled in a reasonably and timely manner, and to ensure that proper information is provided so our office can conduct a proper and thorough investigation as required under the Family Violence Registry Act, the Office of the Attorney General is requesting that any person who petitions this Office to have his or her name removed from the Family Violence Registry database provide to the Office the following necessary documents:

1. Petition to Remove a Name from the Family Violence Registry (Form 1) – This document is provided on this website;
2. Court Clearance(s) - if you resided in different jurisdictions during the ten (10) year period preceding the date of the petition, then a court clearance will be necessary from each of those jurisdictions;
3. Police Clearance(s) - if you resided in different jurisdictions during the ten (10) year period preceding the date of the petition, then a police clearance will be necessary from each of those jurisdictions;
4. Petitioner needs to list in the Petition form each jurisdiction that the petitioner has resided in during the ten (10) year period preceding the date of the petition; **and**
5. Order of Expungement (if applicable, for those seeking removal under 9 G.C.A. §30.200(d)(1).

*** Submission of the required documents does not automatically deem a person's name will be removed from the Family Violence Registry, and the failure of a person petitioning for removal to submit these documents will result in a significant delay in the determination of removal. It is the Office's duty to diligently conduct an investigation on the person requesting removal during the ten (10) year period preceding the date of the petition to ensure that there are no new convictions of domestic, family or dating violence, and/or stalking, criminal sexual conduct, aggravated assault, and/or homicide, either on Guam or in any other jurisdiction of the United States prior to our Office making any determination on the petition to remove. The statute requires such investigation as any new conviction of such *shall* be cause for the person *not* to be removed from the Family Violence Registry.lor