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FOR IMMEDIATE RELEASE  
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### **Romeo & Juliet Exception to the Statutory Rape Law**

*Hagåtña, Guam*- As Guam statutory rape law currently stands, there is no Romeo and Juliet exception that automatically, by law, reduces the grade of crime and punishment whenever a minor perpetrator and minor victim are involved.

This exception to the statutory law is a policy question the legislature is best suited to determine. Social norms and standards of our island community are taken into account by the legislature when they pass new laws and make amendments to existing ones. For example, the current policy for the minimum age of consent to engage in sexual activity is 16 years old on Guam.

It is premature to speculate whether or not the Office of the Attorney General will support the enactment of a Romeo and Juliet exception until we review the proposed amendment or statutory language. The OAG presently exercises its prosecutorial discretion when considering the length and nature of punishment in criminal sexual conduct cases for minors who are being charged as adults, because despite similarities, the facts and circumstances surrounding each case are different.

As the current sentencing law reads, perpetrators ages 16 and 17 who engage in sexual penetration with adolescents and children who are under the age of 14 can be charged with first degree criminal sexual conduct as an adult. Only a small percentage of these youthful offenders are prosecuted as adults for their crimes; the majority of these youth offenders are adjudicated by family court.

The OAG takes the position that the current sentencing law for criminal sexual conduct as a first degree crime- which carries a mandatory minimum 15 year sentence and a maximum of life imprisonment- is necessary, with an overall positive effect as it sides with protecting children who cannot, by law, consent to engaging in sexual activities such as sexual intercourse.

It is also important to note that while there may be parallels in certain cases, the facts within these cases vary; on its surface, one case may look like another, but upon further analysis, they frequently are not.

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