

ELEVENTH CHUUK STATE LEGISLATURE
 SECOND REGULAR SESSION,
 FIRST SPECIAL SESSION, JANUARY 2013

ACT NO: 11-38

AN ACT

To reduce juvenile delinquency by setting curfew hours for minors as a deterrence and to enhance their safety at night time from all forms of human trafficking, and for other purposes.

Be it enacted by the Chuuk State Legislature:

1 Section 1. Purpose. The purpose of this Act is to safeguard public facilities and
 2 properties, private establishments, and personal properties from abuse, destruction,
 3 vandalism, and graffiti by setting curfew hours for minors as a deterrence to commit such
 4 offenses. It is also the dual purpose of this Act to enhance the safety and welfare of
 5 minors at night time from all forms of human trafficking.

6 Section 2. Curfew for Minors.

7 (1) Definitions. In this Act:

8 (a) "Curfew Hours" means from 10:00 p.m. on Sunday, Monday, Tuesday,
 9 Wednesday, Thursday, Friday, and Saturday until 6:00 a.m. of the following day;

10 (b) "Emergency" means an unforeseen combination of circumstances or
 11 the resulting state that calls for immediate action. The term includes, but is not
 12 limited to, a fire, a natural disaster, an automobile accident, or any situation
 13 requiring immediate action to prevent serious bodily injury or loss of life.

14 (c) "Establishment" means any privately owned place of business
 15 operated for a profit to which the public is invited, including but not limited to,
 16 any place of amusement or entertainment.

17 (d) "Guardian" means :

18 (i) a person duly appointed or designated as the guardian of the
 19 person of a minor; or

20 (ii) a public or private agency with whom a minor has been placed
 21 by a court.

22 (e) "Minor" means any person under the age of eighteen years.

23 (f) "Delinquent Minor" as used in this Act includes any child who:

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(i) violates any provision of this Act;

(ii) does not subject himself to the reasonable control of his parents, teachers, guardian or custodian, be reason of being wayward or habitually disobedient; or

(iii) is a habitual truant from home; or

(iv) deports himself so as to injure or endanger properties, morals or health of himself or others.

(g) "Operator" means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

(h) "Parent" means a person who is:

(i) a natural parent, adoptive parent, or a step-parent of another person; or

(ii) at least eighteen (18) years of age and authorized by a parent or guardian to have the care and custody of a minor.

(i) "Public Place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospital, apartment houses, office buildings, transport facilities, and shops.

(j) "Remain" means to:

(i) loiter or stay; or

(ii) fail to leave premises when requested to do so by a police officer or temporary peace officer or the owner, operator, or other person in control of the premises.

(k) "Serious Bodily Injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(l) "Human Trafficking" as used in this Act means the recruitment, transportation, transfer, harboring, or receipt of a minor for the purpose of exploitation including prostitution by using illicit means such as threat, use of

1 force, or other forms of coercion, abduction, fraud, deception, or abuse of a
2 power.

3 (2) Offenses.

4 (a) A minor commits an offense if he or she remains in any public place
5 or on the premises of any establishment during curfew hours.

6 (b) A parent or guardian of a minor commits an offense if he or she
7 knowingly permits, or by insufficient control allows, the minor to remain in any public
8 place or on the premises of any establishment during curfew hours.

9 (c) The owner, operator, or any employee of an establishment commits an
10 offense if he or she knowingly allows a minor to remain upon the premises of the
11 establishment during the curfew hours.

12 (3) It is a defense to prosecution under Subsection (2)(a) that the minor was:

13 (a) accompanied by the minors' parent or guardian;

14 (b) on an errand at the direction of the minor's parent or guardian, without
15 any detour or stop;

16 (c) engaged in an employment activity, or going to or returning home
17 from an employment activity, without any detour or stop;

18 (d) involved in any emergency;

19 (e) on the sidewalk abutting the minors' residence or abutting the
20 residence of a next-door neighbor if the neighbor did not complain to the police
21 department about the minor's presence;

22 (f) attending or traveling to or returning home without detour from an
23 official school, religious, or other recreational activity supervised by adults and
24 sponsored by the Chuuk State Government, a civic organization, or another similar entity
25 that takes responsibility for the minor;

26 (g) exercising his or her constitutional rights protected by the Chuuk State
27 Constitution such as the free exercise of religion, right to assemble peaceably, and
28 freedom to move and migrate with the State.

29 (4) It is a defense to prosecution under Subsection (2)(c) that the owner, operator,
30 or employee of an establishment promptly notified the police department that a minor

1 was present on the premises of the establishment during curfew hours and refused to
2 leave.

3 Section 3. Enforcement. Before taking an enforcement action under this Act, a
4 State police officer or duly deputized temporary peace officer shall ask the apparent
5 offender's age and reason for being in the public place. The officer shall not issue a
6 citation, take into custody or make an arrest under this section unless the officer
7 reasonably believes that an offense has occurred and that, based on any response and
8 other circumstances, no defense in Subsection (3) is present.

9 Section 4. Temporary Peace Officers.

10 (1) "The Director of Public Safety is authorized to deputize any person
11 he deems qualified as temporary peace officer to assist police
12 officers from time to time to enforce the curfew under this Act
13 in the village or community where the deputized person is a
14 bona fide resident; PROVIDED, that the village chief first
15 submit a written request to the Director for such assistance
16 and; PROVIDED FURTHER, that the person shall first waive
17 his right to compensation from the department and hold the
18 government free and harmless from any and all liabilities
19 arising out from his actions during the course of his duty as a
20 temporary peace officer.

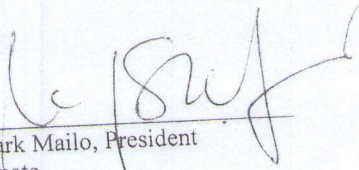
21 (2) The Director of Public Safety shall established standard procedure
22 for the temporary peace officers to report, detain, and turn over
23 offenders into the custody of police officers."

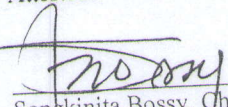
24 Section 5. Proceedings; conduct generally; delinquency not a crime. Proceedings
25 against a minor shall be conducted in accordance with the provision of Title 15 of the
26 Trust Territory Code and an adjudication that a minor violates any provision of this Act,
27 shall be adjudged as a delinquent child which shall not constitute a criminal conviction.

28 Section 6. Penalties. A minor who violates any provision of this Act shall be
29 adjudged as a delinquent minor and may be confined in such place, under such
30 conditions, and for such period as the court deems the best interest of the minor, not
31 exceeding a period of 6 months or to provide not less than 180 hours of community

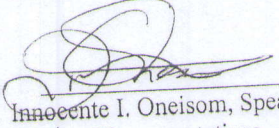
1 service, including but not limited, to cleaning of public facilities or public areas, under
2 the direct supervision of the Department of Public Safety. A parent or guardian who
3 violate any provisions of this Act is punishable by a court fine not to exceed \$20.00.

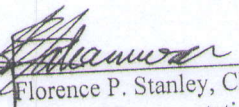
4 Section 7. Effective Date. This Act shall become law upon approval by the
5 Governor, or upon its becoming law without such approval.

Signed by: 
Mark Mailo, President
Senate
Chuuk State Legislature

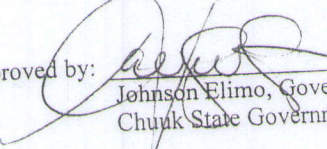
Attested:

Songkinita Bossy, Chief Clerk
Senate
Chuuk State Legislature

Date: Feb. 11, 2013

Signed by: 
Innocente I. Oneisom, Speaker
House of Representatives
Chuuk State Legislature

Attested:

Florence P. Stanley, Chief Clerk
House of Representatives
Chuuk State Legislature

Date: Feb. 12, 2013

Approved by: 
Johnson Elimo, Governor
Chuuk State Government

Date: February 18, 2013

History : S.B.NO: 11-45;SD1
: S.S.C.R.NO: 11-2R-35
: H.S.C.R.NO: None

EW NAMOPWUNG

A ekisano fofforungawen ekkewe mi chok kukkun seni engon me wanu (18) ierir an epwe ekisano me anapano tumunun inisir nupwen ar repwe feffetan nepwin seni sakopaten angangangawen human trafficking, me pwan ren ekkoch popun.

Epwe pwung meren ewe Aneepwungun Chuuk:

1 Tetten 1. Popun. Aucheau me popun ei Annuk an epwe tumunu me eppet i pisekin
2 me nenien mwaun, an aramas kewe sopai me neni, me pisekin aramas seni ekkewe
3 aramas mi chiwen ier kukkun (ier engon me wanu feetiwi) ar resap tonong non me
4 aeangawei (abuse), ataieno (destruction), angei mettochun (vandalism), me enimengawa
5 ren maak (graffiti) an epwe affata kunokun ar repwe mokutukut ika fetan nepwin faniten
6 an epwe ekisano ekiikin ar repwe foori ekkewe fofor mi ngaw. Aruwen popun an epwe
7 anapano tumunun me nonnomw-ochun ekkewe aramas mei chiwen kukkun seni engon
8 me wanu ierir nepwin seni ekkewe sakkopaten fofforungawen (human trafficking).

9 Tetten 2. Fansoun Mwokutukut Nepwin Ren Ekkewe Mi Chiwen Kukkun Ierir.

10 (1) Awewen Foos. Non Ei Annuk.

11 (a) "Curfew Hours" wewen seni kunok 10:00 p.m. non
12 Raninifen, Sarinfan, Aruu, Aunungat, Aruwanu, Enimu,
13 me Ammon tori kunok 6:00 a.m. sorotan;

14 (b) "Emergency" wewen fansoun sise tepereni ika fate ngeni
15 an epwe fiis a esenipa an epwe wor mwokutukut won. Ei
16 kukun foos a pachenong, nge ese pwan pinepin ngeni,
17 ekkei (fire), natural disaster, akseten won toraku, me
18 sakopaten osukosuk mei menei atapwanepwanen angang
19 an epwe eppet feingawen inis me osupwangen mano.

20 (c) "Establishment" wewen pisekin aramas won winikaper
21 me ar aramas kewe nenien sopai mi mumuta an aramas
22 ese nifinifin repwe tori, pachenong nge ese pwan pinepin
23 ngeni nenien apwapwa me urumot.

1 (d) "Guardian" wewen:

- 2 (i) emon aramas mei kefinita pwe ina ii chon
3 tutumunu (semenapen ika inenapen) ewe aramas
4 mi chiwen kukkun ierin; me
5 (ii) ew neni mi nonnom fan tumunuwen mwuun ika
6 aramas Kapung a finata pwe ewe mi chiwen
7 kukkun ierin (minor) epwe nonnom ian.

8 (e) "Minor" wewen emon aramas a kukun seni engon me
9 wanu (18) ierin.

10 (f) "Delinquent Minor" non ei Annuk mei pachenong emon
11 semirit (child):

- 12 (i) ese aponuweta masowen ei Annuk;
13 (ii) ese aponueta met ourouran seni seman me inan,
14 noun sense, ewe a kefinita pwe epwe nonnom ren,
15 mei fat pwe mei nukummach me ese rongorong
16 foos; me
17 (iii) ese nonnom non imwan non ekkoch fansoun; me
18 (iv) atowu seni nenian an epwe efeiengawa me
19 isennong non feiengaw me osukosuka pisekin,
20 nonnomun me manawen ekkoch aramas ika
21 pwisin ii.

22 (g) "Operator" wewen emon aramas, firm, association,
23 partnership, ika corporation mi mwokutukut, tutumunu,
24 me anganga ew neni ika angang. Ei foos mi pachenong
25 monun me chiechien ew association me chiechien me
26 ekkewe mei wor wiser non ewe sopai ika corporation.

27 (h) "Parent" wewen emon aramas ii:

- 28 (i) wesewesen semenapen me inenapen, chon muuti,
29 me wini-seman emon aramas; me

- 1 (ii) mei tori engon me wanu (18) ierin me a mumuta me
2 non annuk pwe ii semenapen me chon tutumun epwe tongei
3 me tutumunu ewe aramas mi chiwen kukkun ierin (minor)
- 4 (i) "Public Place" wewen sakopaten imw me neni mei mumu
5 ngeni aramas ika chommong aramas ar repwe tori me
6 pachenong, nge ese pwan pinepin ngeni streets,
7 highways, me imwen me nenien sukun, pioing, nenien
8 annut mi kamo, ofesin mwuun, nenien saai, me imwen
9 amomo mettoch ese nifinifin (shops).
- 10 (j) "Remains" wewen:
- 11 (i) Ukutiwit ika nonnom; me
- 12 (ii) Nukummachono ne nonnom non won ewe neni
13 me mwirin an polis me ewe aramas minne nenian
14 ewe neni, operator, ika ion chok ewe aramas a
15 wisen tutumunu ewe neni tingor pwe esap wor
16 epwe nonnom won ewe neni.
- 17 (k) "Serious Bodily Injury" wewen feiengawen inis mi watte
18 a tongeni esenipa mano, ngawenon ununun inisin ewe mi
19 feiengaw, me nakattamenon me poutunon tufichin
20 mwokutukutun ewe aramas tori monun non inisin kewe.
- 21 (l) "Human Trafficking" non ei Annuk a wewe ngeni
22 makkei itan, tinano, omwokutano, isoni non imw, ika
23 angei emon minor faniten an epwe echimwa ngeni
24 ekkewe angang me foffor mi angawano ika nounou-
25 ungawa pachenong prostitution a tongeni fis ekkei seni
26 angangen echimwa (coercion), sonai aramas (abduction),
27 ouwes-ngeni (frau), michi-ngeni ika chuuri-ngeni
28 (deception), me aea-ngaw ewe wiis mi nom ren (abuse of
29 power).
- 30 (2) Ekkewe Tipis (Offenses).

1 (a) emon minor a tur non ewe tipis ika a tongeni tipis ika ii
2 a fukummach ne nonnom non ew neni non kunokun curfew.

3 (b) saman ika ewe a kefinita an epwe tutumunu ewe minor
4 a tur non ewe tipis ika a tongeni tipis ika ii a mutata non an
5 weweiti, me nafangawen an pochokkun a mut-ngeni an ewe minor
6 epwe nonnom non ew neni non kunokun curfew.

7 (c) ewe owner, operator, ika chon angang ew neni a tur non
8 ewe tipis ika a tongeni tipis ika ii mei fakkun weweiti pwe a mut-
9 ngeni an ewe minor epwe nonom non ewe neni non fansoun
10 kunokun curfew.

11 (3) Mettoch mi mumuta me ren ewe chon etipisi (prosecutor) fan
12 nurun Subsection (2)(a) an ewe minor epwe:

13 (a) fiti semenapan ika ewe aramas a kefinita an epwe
14 tutumunu;

15 (b) fori akkunon fan tumunuwen seman me inan me ewe a
16 kefinita an epwe tumunu, nge esap pwan wor ian epwe tokkono ian ika kouno
17 me asoso ian;

18 (c) tongeni angang, feino ngeni me fein seni an nenien
19 angang, nge esap pwan tokkono me kouno ian;

20 (d) a nom non emergency;

21 (e) nom won ewe nenien fetan unukkun imwan we ika
22 unukkun imwen an ewe neighbor ika pwe ese wor osukosukan meren chon
23 ewe imw an epwe nonnom ikewe;

24 (f) fiti ika sa ngeni me niwin ngeni imwan seni an sukun,
25 imwen feen, me ekkewe urumot ika mwokutukut fan tumunuwen emon mei
26 muuk me kawor seni ewe Mwuun Chuuk, ew civic organization, me ekkewe
27 neni me mwichen aramas ra ani sekining ne tutumunu minor;

28 (g) fori an kewe pwuung mi mumuta me non noun Chuuk
29 iwe Chuunap ren an epwe fiti faan, fiti ew mwich mi mwich non kinamwe, me
30 an iwe pwuung an epwe mwokutukut fetan non Chuuk.

1 (4)Mei mumuta me ren ewe chon etipisi (prosecutor) fan nurun Subsection
 2 (2)(c) an ewe minor, operator, me ewe chon angangen ew neni ar repwe
 3 mwitir esinesin ngeni police department pwe ewe minor mi nonom won ewe
 4 neni non ewe kunokun curfew nge ese mochen noseni.

5 Tetten 3. Pochokunan. Me mwen an epwe wor pochokunen etipisi won ekkewe
 6 fofor mi kawor non ei Annuk, emon State police officer ika ewe epwe ani ewe angang
 7 epwe kapas eis ierin ewe aramas a tur non ewe fofor me ifan wewechun an nonom non
 8 ewe neni ika public place. Ewe officer esap atapwan ne wawu citation, angei ewe aramas
 9 ika aresini fan pochokunen èt tetten chinon chok ika ewe officer a wesewesen weweiti me
 10 sinei pwe ewe fofor mi fis, onongonong won ponuwen ekkewe kapas eis me ekkoch
 11 mettoch, ese wor met ekkewe mi mumuta me nen Subsection (3).

12 Tetten (4). Chon Tutumunuw Kinamwe (Temporary Peace Officers).

13 (1) "Ewe Director of Public Safety mei wor pochokunan an epwe finata
 14 emon aramas ii mi nukuw pwe mi wor ren ewe tufich an epwe emon
 15 chon tutumunu kinamwe epwe anisi ekkewe police non fansoun me
 16 fansoun an epwe apochokuna ewe kunokun curfew mi affat non ei
 17 Annuk non ekkewe wisoposop me sop ikewe ian ewe aramas a kefinata
 18 a nonom ian; ANONGONONG WON, pwe ewe samonun ewe sop mei
 19 awora noun taropwen tingor ngeni ewe Director faniten ewe aninis me;
 20 PWAN ANONGONONG WON, pwe ewin ewe aramas epwe
 21 fangetani an iwe pwung ren niwinin seni ewe putai me epwe tipe-ew
 22 ngeni pwe ewe mwuu epwe free me esap tori kapung ren fofor mi fori
 23 atun an wiseni ewe wis temporary peace officer.

24 (2) Ewe Director of Public Safety epwe fori annukun an ewe temporary
 25 peace officer epwe awora repot, iseni, fangeta ngeni police officcers
 26 tumunun me iseisen ewe chon attai annuk.

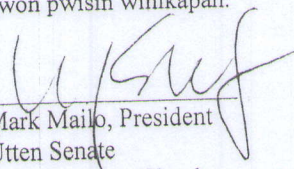
27 Tetten 5. Angangan, fofor ren unusan, delinquency esap crime. Angang faniten
 28 minor epwe amwokut fiti pwungun masowen Title 15 of the Trust Territory Code me ew

1 pwungun tipis pwe emon minor a attai masowen ei Annuk, epwe towu pwungun ika
2 kapunguno pwe ewe fofor an ewe semirit esap nom non tetenin pwe ew tipis.

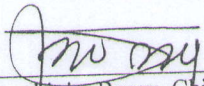
3 Tetten 6. Niwini Tipis. Emon minor a ungeni masowen ei Annuk, epwe kapung
4 usun emon delinquent minor me ii epwe fotek non ew neni, mei wor annukun, me non
5 fansoun kapung mi kuna pwe mi murino ngeni ewe minor, esap nuseni ukukun 6 maram
6 ika ngeni 180 awa an epwe fori angang ewe community, pachenong nge ese pwan
7 pinopin ngeni, enimenim non ekkewe imwen mwuun me neni, epwe fan tumunuwen ewe
8 Department of Public Safety. Sam me In me ewe guardian repwe tipis ika ra ungeni
9 masowen ei Annuk, repwe tipis ren paking esap esap watte seni \$20.00.

10 Tetten 7. Poputañ Pochokunan. Ei Annuk epwe poputa pochokunan fansoun a
11 kapunguno meren ewe Kepina, ika fansoun a winiti annuk won pwisin winikapan.

Sain meren:


Mark Mailo, President
Utten Senate
Aneepwungun Chuuk

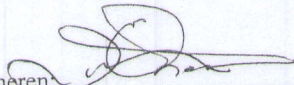
Annetata:


Songkinita Bossy, Chief Clerk
Senate
Aneepwungun Chuuk

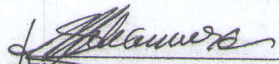
Pwinin maram:

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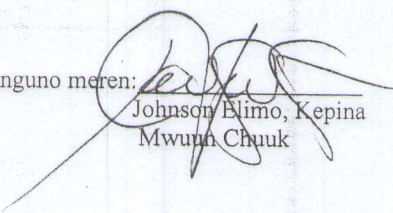
Sain meren:


Innocente I. Oneisom, Speaker
Utten Representatives
Aneepwungun Chuuk

Annetata:


Florence P. Stanley, Chief Clerk
Utten Representatives
Aneepwungun Chuuk

Pwinin maram: 2/12/13

Kopwunguno meren: 
Johnson Elimo, Kepina
Mwun Chuuk

Pwinin maram: February 18 2013

Uruwon : S.B.NO. 11-45;SD1
: S.S.C.R.NO 11-2R-35
: H.S.C.R.NO: Ese Wor