



AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
LEGISLATURE OF AMERICAN SAMOA

In reply refer to:

C E R T I F I C A T I O N

House Chamber
March 20, 1987

I certify that House Bill No. 77 passed third reading on this date in the House of Representatives during its First Regular Session of the Twentieth Legislature of American Samoa.

A handwritten signature in black ink, appearing to read "Wally F. Utu".

WALLY F. UTU
Chief Clerk
House of Representatives

Senate Chamber
March 26, 1987

I certify that House Bill No. 77 passed third reading on this date in the Senate during its First Regular Session of the Twentieth Legislature of American Samoa.

A handwritten signature in blue ink, appearing to read "Mrs. Salilo K. Levi".

MRS. SALILO K. LEVI
Secretary of the Senate



AMERICAN SANGA

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March 21, 1951

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THE TWENTIETH LEGISLATURE OF AMERICAN SAMOA

First Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa on Monday, the twelfth day of January one thousand nine hundred and eighty seven

AN ACT INCREASING THE MAXIMUM PERIOD OF DETENTION AS A CONDITION OF PROBATION; AMENDING SECTION 46.2206 ASCA.

PREAMBLE:

This legislation ensures that when the High Court of American Samoa determines to retain jurisdiction over a convicted felon by granting probation, the Court has greater discretion in requiring detention as a condition of probation commensurate with the seriousness of the offense.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 46.2206 is amended to read:

"46.2206 Detention condition of probation.

Except in infraction cases, when probation is granted, the court, in addition to conditions imposed under 46.2205, may require as a condition of probation that the defendant submit to a period of detention in an appropriate institution at whatever time or intervals within the period of probation, consecutive or nonconsecutive, the court shall designate.

(1) In misdemeanor cases, the period of detention under the section may not exceed 15 days.

(2) In felony cases, the period of detention under this section may not exceed ~~one-year~~ one third of the maximum prescribed term of imprisonment for the crime of which the defendant has been convicted, or, where the maximum prescribed term is life imprisonment, 15 years.

(3) If probation is revoked and a term of imprisonment is served by reason of it, the time spent in a jail or other institution as a detention condition of probation is credited against the prison or jail term served for the offense in connection with which the detention condition was imposed."

LETULI TOLOA
President of the Senate

TUANA'ITAU F. TUIA
Speaker of the House

Hereby Approved this 23rd day of April, 19 87

Governor of American Samoa

NOFOAIGA LUASEFULU FONOFAITULAFONO O AMERIKA SAMOA

Fono Tele Muamua

Nofôia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefululua o Ianuari
tasi le afe iva selau valusefulu fitu

O SE TULAFONO E FA'AOPOPO AI SE TAIMI UMI E NOFO PUIPUIA AI
SE TULAGA TU'U VA'AVAAIA; SUIA LE MAGA 46.2206 TFAS.

FA'ATOMUAGA:

O lenei tulafono e fa'amautuina ai pe afai o le iuga o
le Fa'amasinoga Sili o Amerika Samoa e fa'aauau pea lana pule
i so'o se tagata solitulafono mamafa ua nofosala i le taliaina
o le tu'u va'avaaia, o le fa'amasinoga e iai lana faitalia e
fa'atulaga ai le nofo puipuia o se tulaga o le tu'u va'avaaia
o ogatasi ma le mamafa o le solitulafono.

IA FAATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

Maga 1. 46.2206 ua suia e faitauina:

"46.2206 Tulaga puipuia o le tu'u va'avaaia.

Vagana ai mataupu tau soliga o feagaiga, afai e talia le
tu'u va'avaaia, o le fa'amasinoga, e fa'aopopo i tulaga o le
tu'u va'avaaia sa faia i lalo o le 46.2205, e mafai ona mana'o-
mia o se aiaiga o le tu'u va'avaaia e tu'u atu le ua molia mo
se taimi e puipuia ai i se nofoaga talafeagai i le a lava se
taimi po'o vaitaimi i totonu o le aso o le tu'u va'avaaia,
fa'asoso'o pe le fa'asoso'o, o le fa'amasinoga e fa'asinoina.

(1) I fa'amasinoga o soligatulafono mama, o le taimi o
le puipuia i lalo o lenei maga ia le silia le 15 aso.

(2) I fa'amasinoga solitulafono mamafa, o aso e taofia
ai i lalo o lenei maga ia le silia i le tasi-tausaga tasi o
vaetolu o le taimi maualuga e falepuipui ai mo se solitulafono
ua nofosala ai le tagata molia, po'o le taimi maualuga ua
fa'atulagaina e falepuipui i le olaga atoa, 15 tausaga.

(3) Afai ua fa'aleaogaina le nofo i le falepuipui ma o
le fa'asalaga o le nofo i le falepuipui ua fa'ataunu'u ona
o le fa'asalaga, o le taimi sa nofo ai i se falepuipui po'o
se isi nofoaga o se tulaga o le falepuipui e faitauina i le

tu'u va'avaaia e taulia ai aso o le falepuipui po'o le toese
mo le solitulafono e tusa ma le taofia i le falepuipui e tusa
ma tualga o sala sa fa'ae'e atu.

Letuli Toloa

LETULI TOLOA
Peresetene, Maota Maualuga

Tuana'itau F. Tuia

TUANA'ITAU F. TUIA
Fofoga Fetalai, Maota
o Sui

Hereby Approved this 23rd day of April 19 87

A. V. Lutali

Governor of American Samoa