



PILON COUNTRY REPORT TEMPLATE

Please return this completed report to the PILON Secretariat (coordinator@pilonsec.org) by no later than **cob Friday 16th October 2020**, to facilitate timely circulation to PILON members prior to the meeting. Please advise if you do not wish your Country Report to be made available on the PILON website.

COUNTRY REPORT PRESENTATION:

PILON 2020 will be much shorter than previous years due to the constraints of meeting through a virtual platform. As the country report presentations are typically allocated 3 hours of meeting time, it will be a challenge to hear directly from each PILON member country. The Secretariat welcomes oral updates to the meeting this year on an opt-in basis. Please advise the PILON Secretariat by 11 September 2020 if you wish to present a short update, so that we can allocate time on the agenda.

The time for presentation will be strictly limited to **five (5) minutes** and we ask that the focus be on **one key law and justice achievement** that is relevant to **one** of the PILON Strategic priorities; Sexual and Gender Based Violence, Cybercrime, Corruption or you may choose to discuss the COVID-19 Pandemic experience from a law and justice perspective, including its impacts on any one of the PILON strategic priorities.

COVID – 19

Since the outbreak of the COVID-19 crisis, national governments have taken measures to address and mitigate the adverse systemic impact of the pandemic on all aspects of our lives. In particular, PILON members are now engaged in efforts to provide clarity to governments on the application of legal frameworks and measures to support a significant number of policy challenges on this pandemic, at both the national and international levels.

A key law and justice achievement could include a report on any recent legal reform, a review or introduction of important legislation or accession to a new international treaty, or efforts taken during the pandemic operations with your respective governments.

It is not necessary to prepare a written presentation for this update.

AMERICAN SAMOA

COUNTRY REPORT WRITTEN SUBMISSION:

The Country Report written submission should be limited to 10-15 pages and include the following titles:

1. Major law and justice sector achievements

Recently, in American Samoa, we passed a new law allowing for a plea in abeyance to all crimes, except sexual offenses with a victim 14 years of age or younger, and Driving Under the Influence. This type of law will also help American Samoa with the drug epidemic by providing users with an opportunity to receive help without receiving a conviction on their record.

2. Significant court decisions

None of note.

3. PILON strategic priorities

- (a) **Cybercrime**-American Samoa does not have any laws regarding cybercrime, but are currently looking at introducing legislation regarding cybercrime.
- (b) **Corruption**- American Samoa has previously established statutes criminalizing corruption and they apply from everyday employees to high-ranking officials. Because the statutes have been in place for an extended period of time, there has not been any significant changes to the legislation currently in place.
- (c) **Sexual and Gender-Based Violence**-American Samoa has not had any legislating updates to the criminal statutes regarding Sexual and Gender-based Violence. However, the current Attorney General and the criminal division prosecutors are training the Territory's police officers in expanding their knowledge and skills when interviewing victims of sexual and gender-based violence, especially when it comes to minor victims.

4. Significant issues (including COVID-19) impacting the law and justice sector, and options to address these issues

American Samoa has been fortunate enough to not have a single case of COVID-19 because we control our own immigration and boarders. The boarders have been closed since March 2020 and the closure will last until at least December 2020. However, we are implementing important protocols to make sure we are prepared for COVID-19 once the boarders are opened. Specifically, American Samoans are practicing social distancing, masks are mandated in all schools, there are limitations to the amount of people at a gathering, and we have built quarantine facilities.

Additionally, the Court has postponed jury trials to comply with the Governor's Declaration on COVID-19. The Courts are limiting the amount of people inside the courtrooms and requiring social distancing within the gallery. There are talks in starting teleconferencing with the Court to limit the amount of inmates brought into court.

Although we are COVID-19 free, we are preparing for the epidemic to reach our island once the boarders are opened.

5. Significant initiatives/projects involving the member country and its law and justice sector

Within the Criminal Division, we are constantly conducting in-service trainings with the police officers on island to further their trainings in specific areas of the law. Recently, one of the in-service trainings focused heavily on Title 47, Chapter 6 of the Criminal Code that outlines the Responsibilities of Police Officers when responding to calls involving family or domestic violence. Within the Territory, family and domestic violence cases are considered pro-arrest, meaning, if an officer has probable cause to make the arrest, they are required by law to make the arrest. The charging decisions are then left to the Attorney General's Office.

6. Technical legal assistance

Our current technical legal assistance goal is to acquire a case management system for the Attorney General's Office. Our current system is out-of-date, and we are looking to upgrade our system and bring it into the 21 Century.

7. Contact information for key law and justice agencies

| Agency | Key responsibilities | Contact person and position | Phone number and email |
|---------------------------------------|---|---|--|
| Office of the Attorney General | Prosecute criminal offenses within the Territory. | Mitzie Jessop Taase, Attorney General Laura Garvey, Chief Assistant Attorney General-Criminal Division | (684) 633-4163 ag@la.as.gov (684) 633-4163 garveyl@la.as.gov |