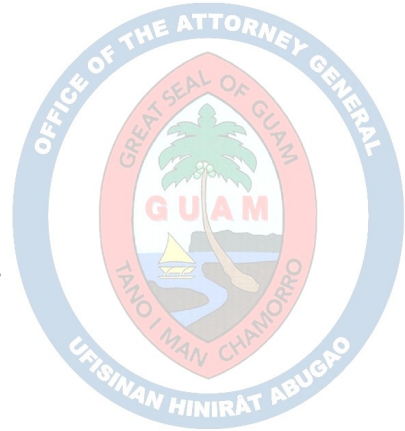


2011

Annual Report for the Office of the Attorney General



Håfa Adai and welcome to the 2011 Annual Report.

In our continued effort to effectively communicate the work we do serving our island community, I once again present to you this annual report. Within the following pages, you will find statistics and pertinent information for each division within the Office Of the Attorney General: Administration, Child Support, Civil Litigation and Solicitors Division, Family/ Juvenile and the Prosecution Division.

In the first year serving as your Attorney General of Guam , I familiarized myself with ways to improve legal services to both you, the people, and the government. The next year allows for myself and the fine team I humbly lead the opportunity to forge forward and fortify matters imperative to protecting the People and Government of Guam.

Identity theft reports have sky rocketed in the last year and we are feverishly working to protect those who fall victim to these crimes. We have initiated discussion to expand our Consumer Claims Unit to accommodate the growing need to inform and defend island residents.

A collaborative effort among agencies and organizations to prevent and reduce child sexual abuse in our community through a task force will enable us to educate our children continues to be the best way to prevent and reduce child sexual abuse, prevent drug use and abuse, and combat bullying and cyber-bullying crimes. Our presence in the community and in the schools



Leonardo M. Rapadas
Attorney General of Guam

I, along with my division leaders and staff personnel, will continue our quest to prosecute and litigate cases whilst having customer service that is friendly, effective and efficient, both in-person and on the phone. Additionally, we are working to reach a broader and diverse audience through digital mediums such as our website, Facebook and YouTube; we look forward to presenting this to you in the next year.

Our caseload demand increases every year and we ready ourselves for increased caseloads in all divisions. I remain steadfast in hiring and providing more training to our lawyers, prosecutors, investigators and support staff like secretaries and paralegals.

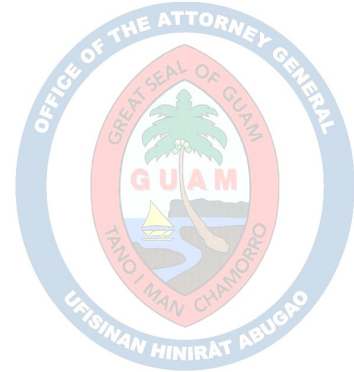
With unpredictable economic times ahead of us, we remain dedicated to creatively utilizing the resources that have been allocated to improve our presence in serving the community. This will include our continued fight against public corruption and our increased efforts to enforce compliance of the laws and regulations of the government of Guam.

I, along with my division leaders, will continually seek to improve the efficiency and accuracy of this Office. Accountability is required at all levels, ensuring that our efforts and work are conducted ethically and professionally on behalf of the citizens and residents of Guam.



Shown left to right: Chief Prosecutor J. Basil O'Mallan III, Deputy Attorney General of Child Support Barbara P. Cepeda, Chief Deputy Attorney General Phillip J. Tydingco, Attorney General Leonardo M. Rapadas, Deputy Attorney General of Civil Division J. Patrick Mason and Deputy Attorney General of Family Division Carol Hinkle-Sanchez.

Child Support Division



Guam's **Child Support Enforcement Division (CSED)** bears the great responsibility of improving the lives of over 11,000 children as they work with both parents to help children receive the financial and emotional support they deserve and need. The CSED benefits children by enforcing the parents' responsibility to pay financial support. This helps to promote and improve self-sufficiency and stability as well as reducing the public burden of supporting financially abandoned children.

The CSED's primary goals are to collect and distribute child support payments, locate non-custodial parents, establish paternity, establish and enforce child and medical support orders, review and modify child support orders, distribute payments and recover welfare benefits paid on behalf of children. CSED services are available to all Guam parents who need assistance. The custodial or non-custodial parent or guardian may apply at the CSED office. The service is also available to parents receiving Temporary Assistance to Needy Families (TANF). The parent applying is asked to furnish information about the other parent and provide legal documents, if available.



Barbara P. Cepeda
Deputy Attorney General
Child Support Division

There are seven sections within CSED and they are: Administration, Programs, Investigations, Accounting, State Disbursement Unit (SDU), Records, and Systems. CSED also ensures compliance with federal and local mandates by utilizing the Absent Parent Automated System Information (APASI). The **administration** section is responsible for the preparation of legal pleadings. This section is also in charge of supplies, maintenance of all office equipment, covers the intake desk, inputs new hire reports, messenger duties, office payroll, maintains personnel files, and mail distributions. The **programs** section is responsible for preparing federal reports. The program coordinator also oversees the annual self-assessment review, update of state plans, drafts the Advance Planning Document Updates,

Child Support Division

applies for federal grants, and prepares Requests for Proposals. This section also oversees the **Access and Visitation (A&V) Program**. The goal of the A&V Program is to improve non-custodial parents' access to and visitation with their children. Research has shown that parental contact is related to the payment of child support and that fathers' involvement improves children's development and self-esteem.

The main function of the **State Disbursement Unit (SDU)** is the posting and timely distribution of child support payments. All payments received must be disbursed within 24 to 48 hours. It is imperative that all payments are accurately identified and posted. In addition, SDU is also the customer call center for questions regarding payments only. More technical questions are reserved for case investigators. This section is also responsible for keeping track of undistributed collections and bank reconciliation.

During the past year of operation, 63,440 checks and receipts were processed. \$10,733,509.65 support payments were processed which included tax offset payments from prior years. \$9,332,074.76 of that was processed by electronic funds transfer.



SDU Team from left: Erlyn Pama, Cory Mantanona, Jennifer Snover, Shirley Gagan, Terri Villagomez, Yolanda Salalila, Julie Mendiola, Ysmael Ciencia.

Child Support Division

Investigators and paralegals are found within the **investigations** section where the bulk of case management takes place. This section has the most contact with the public and their duties include the establishment and enforcement of support obligations using administrative and judicial enforcement. The average investigator caseload is 1,072 cases.

The **accounting** section is responsible for financial accuracy of case files. Accounting technicians are tasked with ensuring that all child support orders are entered correctly on APÅSI. This section is also responsible for the transfer of tax offsets to custodial parents or reimbursement on TANF cases and for preparing manual declarations of arrears.

The **records** section is responsible for the maintenance of all child support case files. The main duties of the legal clerks include the processing of all legal documents, filing documents in their respective case files, retrieving case files for court, and mailing documents and sending them out for service of process. This section is also responsible for reviewing the court calendar for scheduled court hearings and ensuring the files are retrieved. They are also responsible for initial interview of all non-TANF child support applicants and the creation of new files.

The **systems** section ensures that APÅSI is always operational 24 hours a day, 7 days a week. The computer systems analyst also acts as a liaison between child support staff and the systems vendor.



CSED Supervisors from left: Wilfred Paulino, Erlinda Uson, Pauline Chaco, Yolanda Salalila, Diane Benavente and Vincent Nelson

Child Support

Case Overview & Collections

Overview :

- A total of \$ 10,733,509.65 was collected, with \$894,459.14 collected per month for Guam's children
- Assisted a total of 9,852 walk-in clients, with an average of 821 clients per month
- Processed approximately 3,542 wage withholding orders to employers
- Over 8,043 new hires reported by employers
- Initiated 61 driver's license suspensions against delinquent non-custodial parents
- Approximately 9,400 child support hearings

2011 Caseload Profile

*25% of all children under 18 have a case with the CSED.

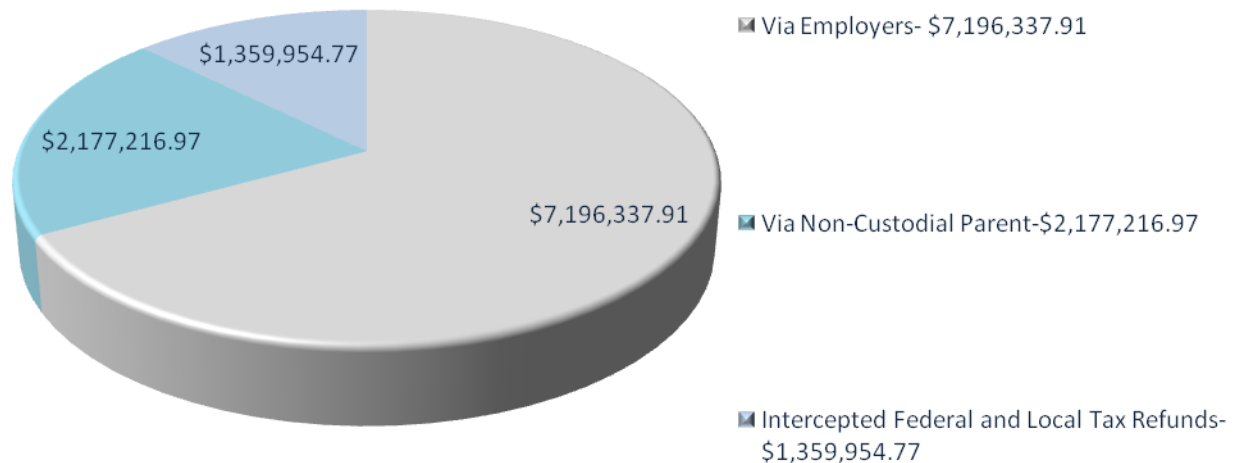
TANF Caseload 1,927

Non-TANF Caseload 4,410

Total Caseload 6,437

Child Support Collected

Total Collected: 10,733,509.65



* Enforcement tools utilized by CSED, such as the passport denial program and the intercepted federal and local tax refunds are accounted for under child support payments collected via non-custodial parents.

Civil/Solicitors Division

J. Patrick Mason serves as the Deputy Attorney General for both the Civil Litigation Division and the Solicitors Division. Although each division performs separate tasks, both continue to remain under one deputy as a cost saving measure for the government and people of Guam.



The **Civil Litigation Division** handles all civil actions in which the government of Guam is an interested party. This includes both bringing and defending actions on behalf of the government in both the trial and appellate courts of Guam and the United States. The Litigation Division is also tasked with bringing actions, when necessary, to insure compliance by government agencies, officials and private parties with the regulatory laws of Guam. In matters regarding the protection of public interest, the Litigation Division brings action on behalf of the people of Guam. Examples of the types of cases handled by the Litigation Division include: environmental protection cases, government employees discipline and grievance cases, wage and hour disputes, property damage, personnel injury and wrongful death cases, maritime law enforcement, contract disputes, procurement disputes, civil rights cases, land condemnation



J. Patrick Mason
Deputy Attorney General
Civil/ Solicitor's Division

cases, cases determining the extent of government authority and the legality of government actions, cases resolving the interpretation, organicity and constitutionality of laws, and representing the government of Guam in regulatory actions brought by the federal government.

Pursuant to the Administrative Adjudication Law and other legal mandates requiring administrative hearings, the Litigation Division is tasked with providing hearing officers to government agencies and over 30 boards and commissions. This includes providing a hearing officer for appeals involving federal programs such as the food stamp program.

Civil Litigation

Litigation Requests



Shown from Left to Right: Maria Blas, Donald San Agustin, Assistant Attorneys General Deborah Rivera, Laura Mooney, John Weisenberger and Fred Nishihara.

Litigation Statistics Breakdown for 2011			
Action	Total Requests	Status	
	Per Category	Open	Closed
Administrative Proceedings	252	111	141
Court Proceedings	75	54	21
Government Claims	128	73	55
Requests for Action	104	55	49
Total :	559	293	266

Civil/Solicitors Division

Another function that is performed under the Litigation Division is the investigation and processing of claims filed against the government pursuant to the Government Claims Act. Claims filed under the Government Claims Act include property damage, personal injury, wrongful death and contract claims. The Claims Unit also handles claims for the return of funds turned over to the government under the dormant bank account law.

The **Consumer Protection Unit** is housed under the Litigation Division and is charged with enforcing various consumer laws including the Deceptive Trade Practice Act. These laws protect against false, misleading and deceptive practices by both local and off-island businesses. The Unit handles consumer complaints and publishes press releases to increase public awareness of consumer scams.

The **Solicitors Division** provides legal services to the agencies, boards, commissions and other instrumentalities of the executive branch. The Division also writes legal opinions and legal memoranda for executive agencies, the legislature and mayors. Some of the legal tasks performed by the Solicitors Division include: researching and writing attorney general opinions and legal memoranda; giving either verbal or written legal information and guidance to executive agencies; reviewing documents and preparing opinions regarding bond issues; drafting, reviewing and approving proposed agency rules and regulations; acting as agency legal counsel at administrative hearings; drafting and/or reviewing procurement contracts; assisting agencies with procurements; assisting agencies with responses to Sunshine Act requests; assisting in administrative matters relative to the Commission on Post-Mortem Examiner and providing a full-time tax attorney to the Department of Revenue and Taxation.

The **Notary Unit** is under the Solicitors Division. The Notary Unit administers and enforces the Model Notary Law. This includes administering notary tests, responding to inquiries from notaries and members of the public, auditing notary journals and issuing certificates of notary certification when requested by the public. Public Law 30-59, enacted in November of 2009, raised notary application fees from \$50 to \$100 and raised Certificate of Authority fees from \$25 to \$50. Government notary fees are waived and all amounts are paid to Treasurer of Guam and are non-refundable and non-transferable.

Solicitors

Notary Report & Solicitors Request

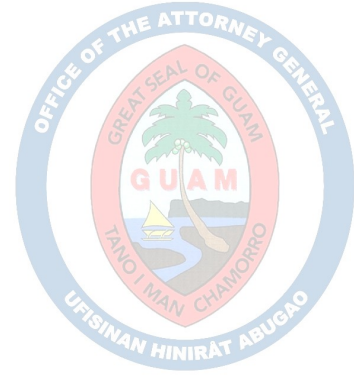
Notary Income for 2011			
Action	Private	Government	Income
New Notaries	63	8	\$6,300.00
Renewal Notaries	72	9	\$7,200.00
Certificate of Authority Requests	40	0	\$2,000.00
Total	175	17	\$15,500.00

Jay Fejeran, Notary Unit Contact



Solicitor's Request breakdown for 2011			
Category	Total Requests	Status	
	Per Category	Pending	Closed
Administrative Proceedings	54	32	22
Administrative Rules & Regulations	22	7	15
Attorney Assistance	415	142	273
Contract Review	558	72	486
Opinion & Legal Guidance Requests	73	37	36
Procurement	117	78	39
Total :	1,239	368	871

Family Division



The **Family Division**, headed by Deputy Attorney General Carol Hinkle-Sanchez, handles all matters relating to juveniles on our island community. This includes cases involving juveniles who commit criminal acts that involve drugs and alcohol, non-drug and alcohol related offenses and delinquency matters. The Family Division also represents Child Protective Services (CPS) in cases brought to court involving children that have been subjected to abuse and neglect by their parents or caretakers, as well as cases where juveniles are deemed ‘beyond control’ by their parents or caretakers.

The goals of the Family Division are: to vigorously represent the government in special juvenile proceedings, juvenile delinquency cases, and other matters before the Family Court of the Superior Court of Guam; to vigorously represent Child Protective Services in child abuse and neglect cases; to adequately staff and fund personnel and provide training to juvenile staff to

update their skills and knowledge; to establish and consistently conduct community outreach activities and participation in educational and social meetings dealing with juvenile issues; and to promote legislation that will significantly impact juvenile activities and other matters relevant to the mandates of the Family Division.

Although the challenges are many when dealing with the island’s youth, the Division is dedicated to providing our children with a safe and nurturing environment free from danger and harm and continues to take an active approach in educating the community about making healthy choices for future generations.



Carol Hinkle-Sanchez
Deputy Attorney General
Juvenile/ Family Division

Total Cases received for Juvenile Division	
Drug Cases	131
Special Proceedings	97
Pre-Adjudicatory- Diversionary Program	7
Delinquency	316
TOTAL	551

Family Division

Juvenile Drug Caseload

Drug Court Cases

Possession of Schedule I Controlled Substance (Marijuana)	97
Possession of a Scheduled I Controlled Substance in a Drug Free School Zone	89
Possession and Consumption of Alcohol	33
Possession of Scheduled II Controlled Substance (Meth/Ice)	1
Illegal Possession of Inhalants	2
Possession of Schedule I with the Intent to Deliver/	6

Other Offenses Committed with Drug Court Cases

Theft of Property	7	Violation of a Court Order	1
Public Drunkenness/Intoxication	5	Under the Influence of Alcohol	1
Burglary	6		
Beyond Control	4	DUI	5
Disorderly Conduct	5	Operating a Motor Vehicle While	2
Attempted Assault on a Peace Officer	1	Reckless Conduct	1
Assault	3	Breaking of Glass to Gain Access	1
Conspiracy Burglary	3		
Reckless Driving	3		
Unauthorized Use of a Motor Vehicle	3		
Curfew	4		
Family Violence	3		
Operating a Motor Vehicle without a Driver's License	4		
Criminal Mischief	3		
Crime Against the Community	2		
Leaving the Scene of an Accident	1		
Guilt by Complicity (Unauthorized Use of a Motor Vehicle)	1		
Eluding a Police Officer	2		
Theft of Property-Motor Vehicle	4		

** It is important to note that the number of cases filed will not correlate with the number of charges because each case filed may have multiple charges.*

Family Division

Special Proceedings & Diversion Program

Special Proceedings Cases	
Persons in Need of Services	24
Beyond Control	21
Total	45

Pre-Adjudicatory Diversionary Program (PADP)

The PADP is a prevention program and unlike court cases, it is an informal process that allows for the Family Division attorneys to divert particular cases into the program. For example, juveniles who are first-time offenders that have committed crimes deemed as petty misdemeanor offenses may be considered for this program. In 2010, the Family Division successfully diverted 5 juveniles into the prevention program.



Family/ Juvenile Division: Eliseo M. Florig Jr., Julie Salas, Amber Wood, Eloise Bejosano, Carol Hinkle Sanchez and Thomas M. Parker
(not shown: Dominic S. Terlaje)

Family Division

Juvenile Delinquency Caseload

** It is important to note that the number of cases filed will not correlate with the number of charges because each case filed may have multiple charges.*

Breakdown of Delinquency Caseload

Robbery	4	Terroristic Conduct	3
Burglary	57	Attempted Theft of Property (Motor Vehicle)	4
Theft of Property (Motor Vehicle)	47	Hindering Apprehension	1
Breaking of a Glass Window to Gain Access	2	Possession of Tobacco	3
Graffiti	33	DUI with Damages	1
Family Violence	14	Terrorizing	4
Aggravated Assault	8	Violation of a Court Order	2
Assault	15	Unauthorized Use of a Motor Vehicle	7
Assault (Mutual Combat)	2	Fraudulent Use of a Credit Card	2
Theft of Property (Motor Vehicle)	15	Operating a Motor Vehicle without a Valid Driver's License	7
Theft of Property	24	Reckless Driving	3
Curfew	4	Second Degree Criminal Sexual Conduct	3
Beyond Control	7	Conspiracy (Criminal Mischief)	2
Eluding a Police Officer	3	Conspiracy (Criminal Mischief- Motor Vehicle)	22
Criminal Mischief	25	Conspiracy (Arson)	5
Arson	8	Conspiracy (Burglary)	19
Criminal Mischief of a Motor Vehicle	38	Conspiracy (Graffiti)	28
Criminal Trespass	11	Conspiracy (Kidnapping)	1
Possession of Inhalants	2	Conspiracy (Robbery)	5
Harassment	13	Conspiracy (Theft of Property-Motor Vehicle)	1
Possession of Alcohol	8	Conspiracy (Theft of Property)	2
Crime Against the Community	14		
Kidnapping	1		

Family Division

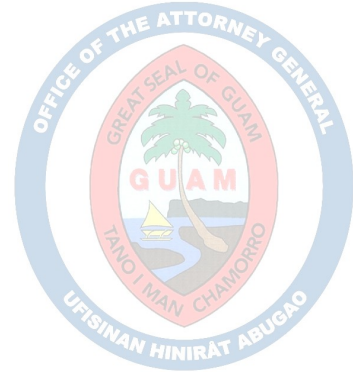
Juvenile Delinquency Caseload cont.

** It is important to note that the number of cases filed will not correlate with the number of charges noted because each case filed may have multiple charges.*

Breakdown of Delinquency Caseload

Conspiracy (Attempted Theft of Property– Motor Vehicle)	1		
Conspiracy (Fraudulent Use of a Credit Card)	2		
Complicity (Theft of Property-Motor Vehicle)	5	Making A False Report	1
Complicity (Burglary)	6	Resisting Arrest	4
Complicity (Criminal Mischief of a Motor Vehicle)	8	Assault on a Peace Officer	4
Complicity (Kidnapping)	1	Disorderly Conduct	2
Complicity (Robbery)	2	Reckless Conduct	1
Complicity (Second Degree Criminal Sexual Conduct	1	Attempted Possession of tobacco	1
Complicity (Attempted Theft of Property– Motor Vehicle)	1	Illegal Possession of a Schedule I (Marijuana)	1
Ordinary Escape	5	Illegal Possession of Schedule I in a Drug Free School Zone	1
Possessin of a Deadly weapon During the Commission of a Felony	1	Jurisdiction Over an Adult	1
Theft by Receiving	2	Complicity (Arson)	1
Attempted Aggravated Assault	1	Complicity (Theft of Property)	1
Attempted Second Degree Criminal Sexual Conduct	1	Third Degree Criminal Sexual Conduct	1
First Degree Criminal Sexual Conduct	1	Fourth Degree Criminal Sexual Conduct	3
Attempted Criminal Mischief of a Motor Vehicle	1	Terrorizing	1
Attempted Burglary	1	Conspiracy (Criminal Mischief)	1

Prosecution Division



The **Prosecution Division** plays a critical role in Guam's criminal justice system as its mission is to seek justice and enhance the safety of the island community. Its main responsibility is to charge all adult felony and misdemeanor cases. There were 728 charged felony cases and 1,300 charged misdemeanor cases. The division is also responsible for prosecuting criminal cases involving criminal sexual conduct, drugs, domestic violence, property, firearms, homicides, white collar or public integrity, government corruption, and other violent crimes heard before the Superior Court of Guam.

The division is also comprised of the **Criminal Investigations Unit** who is responsible for conducting independent investigations and follow-up investigations in support of on-going prosecutions.

The Prosecution Division continued to improve its operations in pursuit of justice for victims of crime and to increase its efforts to meet the demands of a steadily increasing case load despite limited personnel and other resources.



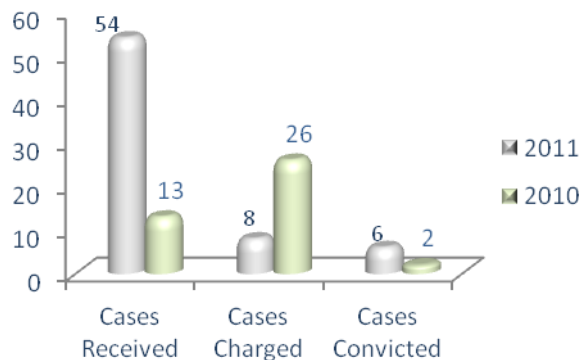
J. Basil O'Mallan III
Chief Prosecutor
Prosecution Division



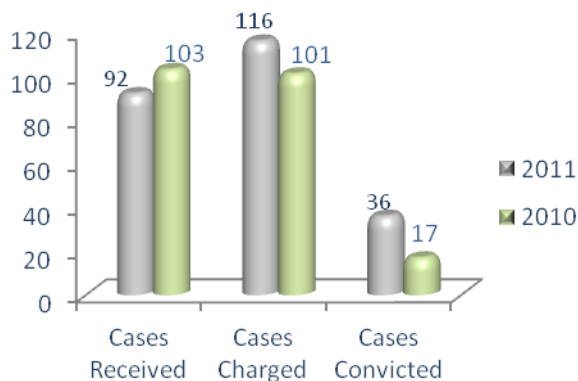
The Investigators Unit

Criminal Sexual Conduct Cases

Misdemeanors

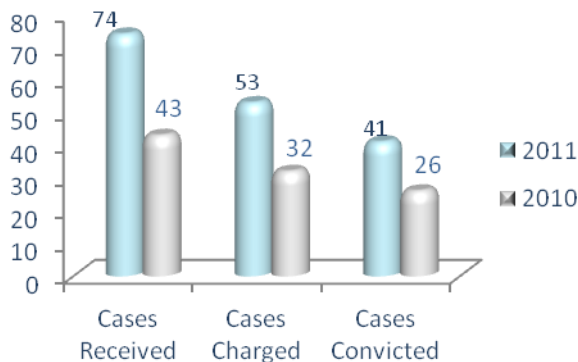


Felonies

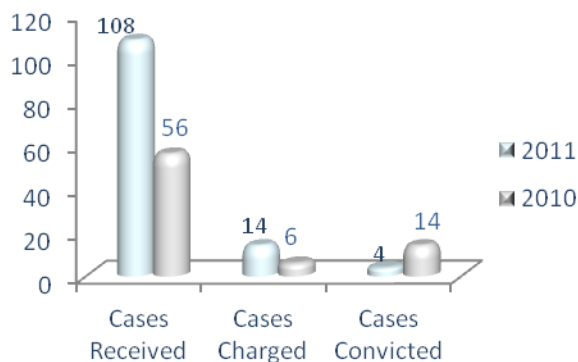


Child Abuse Cases

Misdemeanors



Felonies

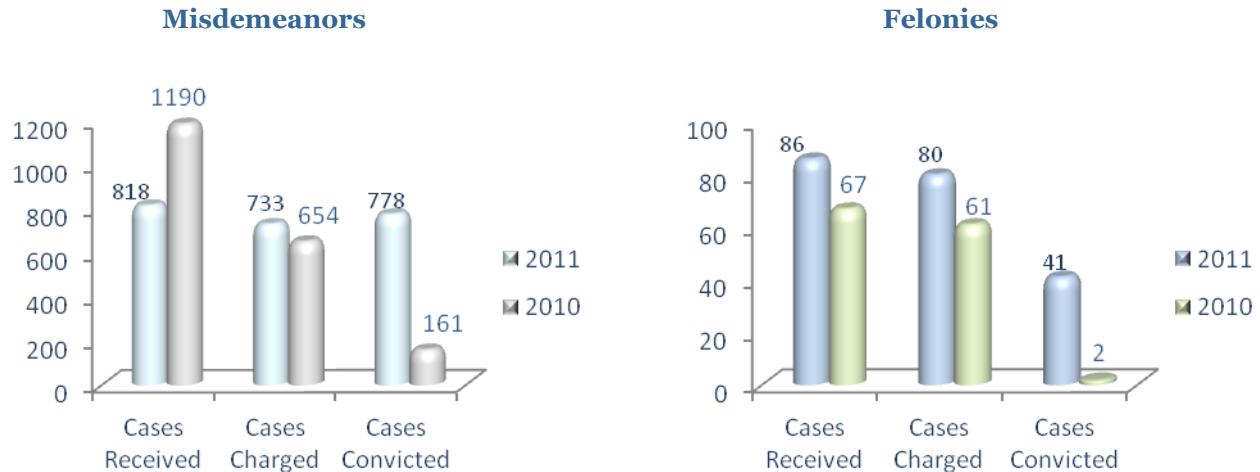


* The decrease in the filing of cases for 2011 among certain categories of crimes or offenses as compared to the previous year is subject to a host of variables which include, but are not limited to: the need for further investigation due to the nature and complexity of the case; law enforcement making less case referrals or lower rates of reporting by victims of crimes, determinations of insufficient evidence to charge at the time of referral; discovery of statute of limitation problems; legal obstacles from constitutional or statutory procedural due process issues; insufficient personnel to complete case referral reviews and charging determinations; inability to proceed due to unavailable key witnesses or inability to have available certain physical evidence including the testing and analyses thereof; and other variables.

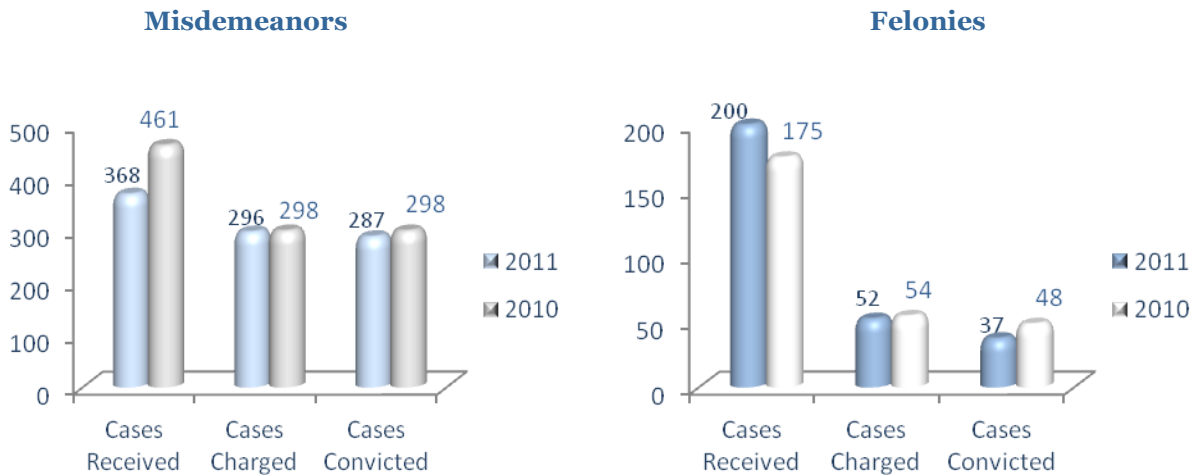
Prosecution

Caseload Statistics

Driving While Under the Influence (DWI) Cases



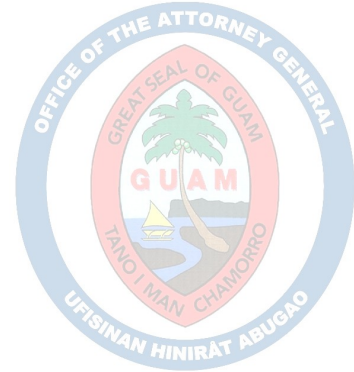
Family Violence Cases



* The decrease in the filing of cases for 2011 among certain categories of crimes or offenses as compared to the previous year is subject to a host of variables which include, but are not limited to, the need for further investigation due to the nature and complexity of the case; law enforcement making less case referrals or lower rates of reporting by victims of crimes, determinations of insufficient evidence to charge at the time of referral; discovery of statute of limitation problems; legal obstacles from constitutional or statutory procedural due process issues; insufficient personnel to complete case referral reviews and charging determinations; inability to proceed due to unavailable key witnesses or inability to have available certain physical evidence including the testing and analyses thereof; and other variables.

Administration Division

The **Administration Division** plays a crucial role within the Office of the Attorney General. They provide administrative services to all the Divisions within the Office, including the preparation and monitoring of the annual budget. Integrated within the Division are personnel who coordinate the Office's efforts in community outreach and communications with the public.



The Office of the Attorney General, like other government of Guam agencies, faced financial constraints and unanticipated costs for its operations during fiscal year 2010. The Office has, as in previous years, managed to both operate and stay within the fiscal year budget. The Office has instituted and improved the financial oversight of all the operations and related costs and expenditures of its various divisions. This has included providing timely financial information which is available to the public for review on its website at www.guamattorneygeneral.com. The Office has also implemented and enforced cost-cutting measures throughout its operations. Nonetheless, the Office continued to seek alternative sources of funding other than local general fund monies for the recruitment and hiring of much needed attorneys and support staff to meet the high caseload numbers and growing demands for legal services for the various government of Guam agencies.



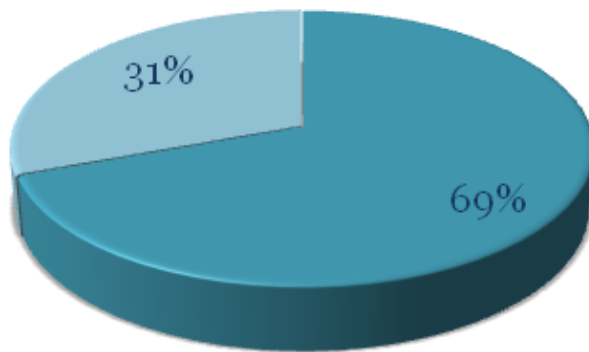
Phillip J. Tydingco
Chief Deputy Attorney General



Terry Ascura
Acting Chief of Administration

Funding

Total: \$15,190,651.00



- General Fund: \$10,544,807.00
- Federal Matching Grants-in-Aid: \$4,645,844.00

Office of the Attorney General 2010 Staffing Pattern	
Attorneys	45
Investigators	20
Support Staff	89
Total	154

Victim Witness **VWAS** Ayuda Services Unit

The **Victim Witness Ayuda Services (VWAS) Unit** has well trained advocates who provide support services to victims and witnesses of crimes. The advocates help crime victims restore their sense of dignity, self-esteem and coping mechanisms while the Prosecution Division pursues criminal charges against perpetrators.

The VWAS Unit was created to assist victims as the case goes through the court system. VWAS provides victims with emotional support, court accompaniment, transportation, if necessary, to court appointments related to the case, childcare while victims are in court or meeting with a prosecutor; refer victims to counseling or other services if requested; assist victims in filing claims with the Criminal Injuries Compensation Commission; notify victims of trial dates; case-related information and case dispositions; advocate for the victim if restitution is requested; and assist victims in their requests for parole notification.

VWAS is completely funded by the Victims of Crimes Act (VOCA), passed by congress in 1984.



Meet the **VWAS Team** from left to right: Lorraine Rivera, Joann Augustine, Cristine Pervez-Cruz, Joe Bamba, Rica Garrido, Lucil Guerrero, Connie Merei, Mirta Walters, Marie Cruz, Sheri Batungbacal

2011 Highlights

AG's Office to Handle Governmental Domestic Violence Registry

The introduction of P.L. 31-103 establishes Guam as the first of all the United States and its territories to institute a governmental domestic violence registry. The Office prepares to implement and execute this database that will contain information on repeat domestic violence offenders and will allow universal access to the general public. Use of the registry is free to the public and will be available online 24 hours a day.

“The main focus of this registry is chiefly to prevent these crimes from happening to unknowing victims and secondly, to reduce the number of reoccurrences,” said General Rapadas.

Child Support Hosts Employers Symposium

More than half of child support collected is through the joint efforts of the CSED and employers. The Child Support Enforcement Division of the Attorney General's Office hosted an Employers Symposium titled “A Partnership that Works,” in September 2011 at Guam Community College.

This symposium proved to be an excellent opportunity for organizations to become better informed on the laws and processes of the national child support program and for the OAG to forge a stronger partnership with all hiring sectors of the community with the mission of enhancing the well-being of children by monitoring and enforcing support obligations.

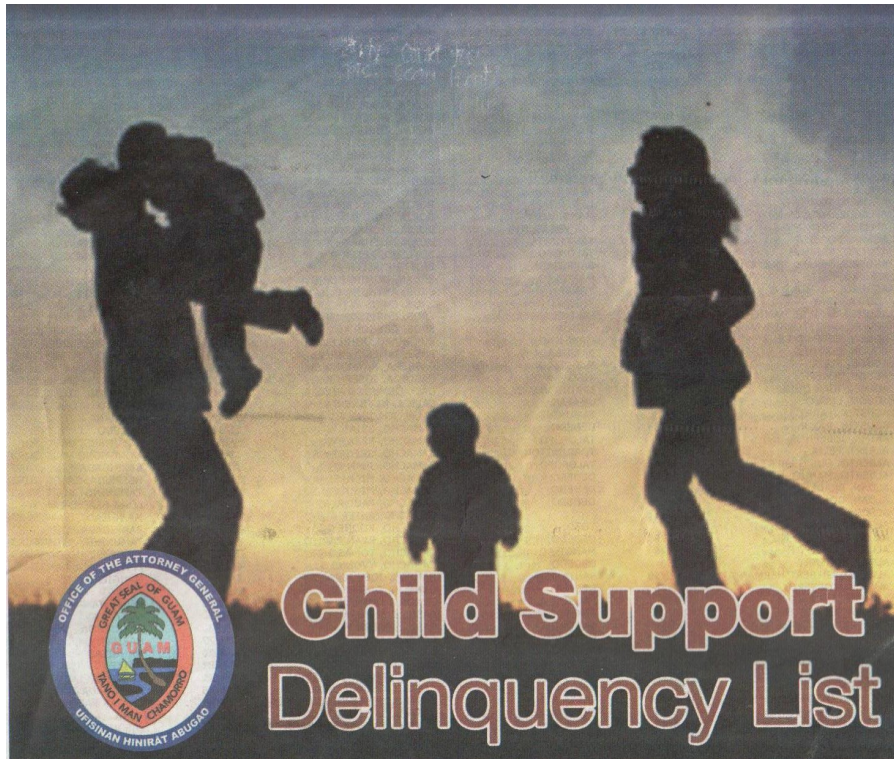


In addition to presenting information, the CSED staff engaged in discussions with representatives from Guam businesses, government agencies and the military on improving communications and increasing awareness on the importance of parental support of children.

Deputy Attorney General Bobbi Cepeda discusses the importance of employer compliance with child support laws during the Employer's Symposium.

2011 Highlights

Child Support Publishes Delinquency List



In May 2011, the Child Support Enforcement Division of the Attorney General's Office once again published a child support delinquency list of non-custodial parents who were in arrears of three months or more in support payments.

PL 31-095 Aids CSED Disperse Support Funds

The CSED saw a huge increase in Electronic Fund Transfer (EFT) payments because of the enactment of PL 31-095 in October 2011. The law made it easier for custodial parents to receive child support payments by mandating the electronic remittance of child support payments and the Division processed \$9,332,074.76 last year. of that was processed by electronic funds transfer, from 2010\$633,087 of that was processed by electronic funds transfer

Kids First Card is the direct deposit program whereby payments of child support are automatically loaded into a custodial parent's savings or checking account. The benefits of this program include reduction in the time for payments to reach the families, convenience and safety to clients, and prevents delay or loss of payments.

2011 Highlights



The Office of the Attorney General is an active participant in educational outreaches throughout the island. A member of the Red Ribbon Drug Prevention Committee, the Office is committed to educating our island's youth on the dangers of drug use. AG Rapadas engages school children through interactive demonstrations.

AG Rapadas talks to Kindergarten through 5th Grade Students from St. Paul's School about the legal repercussions of using and selling drugs.



2011 Highlights

The Office of the Attorney General is committed to educating the children of our island. Personnel from the Office visit various schools around the island promoting a drug-free life. The Office also participates in Waves and interviews that promote a healthy and peaceful lifestyle and community.



Shown Left: Office personnel participate in the Red Ribbon Wave along Marine Drive in October.

Below: Staff personnel discuss with students the effects of drugs.



2011 Highlights

Civil

2011 Tobacco Summary

- In 1999, Guam, along with 46 States and Territories, entered into the Master Settlement Agreement (MSA) with various tobacco companies, whereby the tobacco companies agreed to pay the states and territories funds based on the number of cigarettes sold. The funds would be paid in perpetuity in exchange for the States and Territories agreement not to sue for medical expenses related to tobacco. On average Guam receives 2.7 million dollars a year from the MSA.

The tobacco companies brought arbitration against the States and Territories for the years 2003-2008, contesting the States and Territories diligent enforcement of the MSA. If the States and Territories do not prevail, they would have to return a portion of the amount paid by the tobacco companies. (Estimated at 5.2 billion dollars) Guam along with American Samoa, C.N.M.I. and the U.S. Virgin Islands negotiated to have the tobacco companies not contest their diligent enforcement of the MSA.

On November 3, 2011 the tobacco companies filed their statements identifying the States and Territories whose diligent enforcement in 2003 the tobacco companies continue to contest. Guam, U.S.V.I., American Samoa and Northern Mariana Islands were **not** among the contested States. In short, Guam's MSA payment due in 2004 will not be subject to the 2003 NPM Adjustment. As a result of securing this status, Guam no longer faces the possibility of refunding the funds received for 2003.

Finally on November 3, 2011 General Rapadas signed an extension for the significant factor proceedings through 2012. By signing such an extension, the tobacco companies agreed that they would not initiate any proceedings against Guam through 2012.

AG's Office Offers Help in Procurement Process

- In an effort to educate and aid government agencies through the procurement process, assistant attorneys general have been working to prepare detailed procurement checklists with citations to laws and regulations. These materials have been posted on the OAG website and will be used in the governmental workshops that is in the final stages of planning.

2011 Highlights

Civil

- With the enactment of Public Law 72-30, the Civil Division is required to act as legal advisor during all phases of solicitation and procurement contracts that result in an award of \$500,000 dollars or more. The review of all stages of procurement applies to procurements by every executive branch agency, autonomous agency instrumentality or public corporation of the government. In July 2010, P.L. 5GCA §5150, was further amended (P.L. 30-157) to allow the OAG the ability to delegate the review authority of procurement contracts over \$500k to the Special Assistant Attorney General assigned to government agencies , thereby expediting the process and allotting the Assistant Attorneys General of the Civil Division to focus on other pressing matters.

- Assistant Attorney General Fred Nishihara instructs his audience on the procurement process.



Family

- The Family/ Juvenile Division played an instrumental role in the drafting of the legislation for the Sex Offenders Registry Notification Act (SORNA).
- Under the leadership of then Governor Felix Camacho, the Juvenile Justice Delinquency Commission (JJDP) was formed. The Family Division saw the commission as an opportunity to improve the on the lack of services available to juveniles. As with any commission, task force, or group, research and discussion plays a critical role in the planning process and 2010 was dedicated entirely to the early planning and research phases to revamp the current laws.

2011 Highlights



The Family Justice Center (FJC) opened its doors in October 2011, aiming to empower victims to live a life free from abuse, fear, and violence by providing services offered by community and government organizations through a single access point with no regard to sex, age, nationality, religion, sexual orientation, or immigration status. The goal of the FJC is to provide one central place where victims can go to talk to an advocate; plan for their safety; interview with a police officer if needed; receive information on shelter; legal information and other community services; get help with transportation; assistance with contacting their faith based service if requested; and other services to help victims put their life back together. The VWAS unit, housed under the AG's Office, plays an integral role in the performance at FJC and has an advocate present at all times of operation, aiding victims in their time of need. Through strong inter-agency collaboration, we hope to inspire peace, promote healthy relationships and end the violence.



The media interviews Attorney General Rapadas to discuss the grand opening of the FJC (above).



AG Rapadas gives a few remarks at the grand opening of the FJC at the Guam Police Department Dededo Precinct (left).

2011 Highlights



Maria Apuron successfully completed the Federal Bureau of Investigations (FBI) Instructor Development Course, which was conducted from December 5, 2011 through December 9, 2011, which sought to provide a foundation to effectively present and communicate criminal case situations and other related topics to an audience ranging from a small unit brief to a large lecture setting.

“The Office is proud to have Maria on our team and know that this training has honed her skills to better serve the needs of the people of Guam. She is truly an asset to our agency. Congratulations Maria,” said Attorney General Rapadas.

Above: Attorney General Rapadas presents Apuron with a certificate of achievement.

William Salisbury successfully completed professional courses of study at the FBI National Academy for United States and International law enforcement leaders that serves to raise law enforcement standards, knowledge and cooperation. Salisbury also completed the optional “Yellow Brick Road” fitness challenge that consists of a grueling 6.1 mile hike through hilly wooded trails where he had to climb over walls, scale rock faces with rope, crawl under barbed wire in muddy water and maneuver across a cargo net. He was awarded with an actual yellow brick to commemorate his achievement and the Office celebrated his achievement by presenting him with a certificate.



“Mr. Salisbury worked very hard to complete the academic and fitness courses presented to him during his training. Through his perseverance and diligence, he has made his island and this Office very proud, keep up the good work Salisbury,” AG Rapadas said.

The fitness challenge course came to be known as the “Yellow Brick Road” when many years ago, marines would place yellow bricks at various spots on the wooded trail to show runners the way through.

2011 Highlights