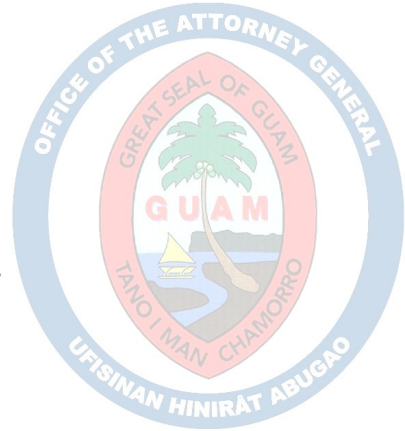


2012

Annual Report for the Office of the Attorney General



Håfa Adai and Welcome to the Office of the Attorney General's 2012 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.

As the law firm that represents the People and Government of Guam, the duties and responsibilities are vast, and vary within each division. Nonetheless, as a whole, we are committed to enforcing local and applicable federal laws for our island community.

We prosecute adult and juvenile criminal offenders; litigate to protect our children and man'amko from abuse; provide legal advice and guidance to the executive and legislative branches of government as well as Government of Guam agencies, boards and commissions; safeguard children's rights to receive financial support from non-custodial parents; and defend government agencies and officers in court.

The Office has made great strides on important issues such as consumer protection and identity theft. We have managed to expand our Consumer Claims Unit to meet the growing need to inform and defend island residents against identity thefts.



Leonardo M. Rapadas
Attorney General of Guam

This year, a collaborative effort among agencies and organizations to prevent and reduce child sexual abuse in our community through the LaniKate task force enabled us to find ways to prevent and reduce child sexual abuse.

This year has also marked significant administrative accomplishments. With the upgrade to both our phone system and our internet Universal Resource Locator– or URL – address, it is my hope that our customer service will improve in effectiveness and efficiency while maintaining professionalism and courtesy.

Additionally, The Office was granted semi-autonomous status that will allow us to execute our responsibilities as the Chief Legal Officer of the government of Guam, as well as the Public Prosecutor for the Territory of Guam by managing our own budgetary and personnel resources, including the ability to hire and employ the attorneys, investigators, and staff necessary to carry out our duties and safeguard the interests of the People of Guam.

This year has allowed for me and the fine team I humbly lead the opportunity to forge forward and fortify matters imperative to protecting the People and 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 Philip 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 11,200 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.



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.



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

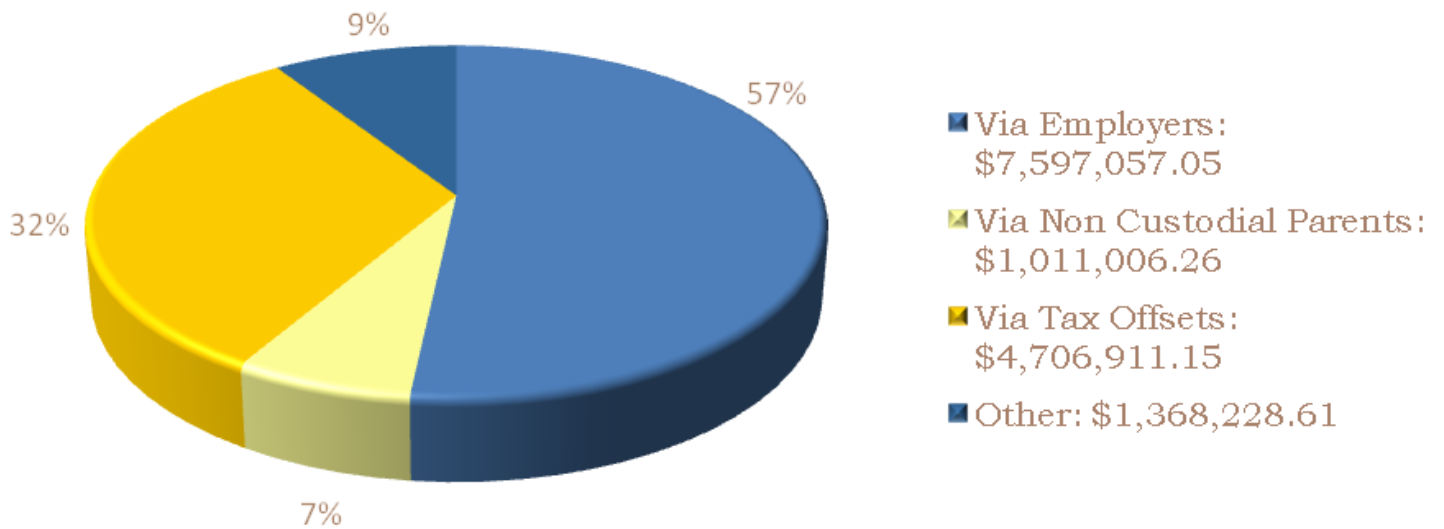
Child Support

Case Overview & Collections

Overview :

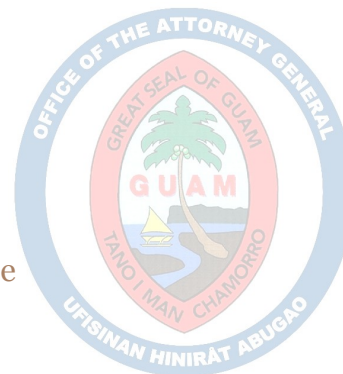
- A total of \$ 14,683,203.27 was collected, with about \$1,223,600 collected per month for Guam's children
- Over 6, 400 active and open child support cases
- 11, 243 children served
- Over 9,790 new hires reported by employers
- 136 cases of paternity established

Total Child Support Collected: \$14,683,203.27



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.

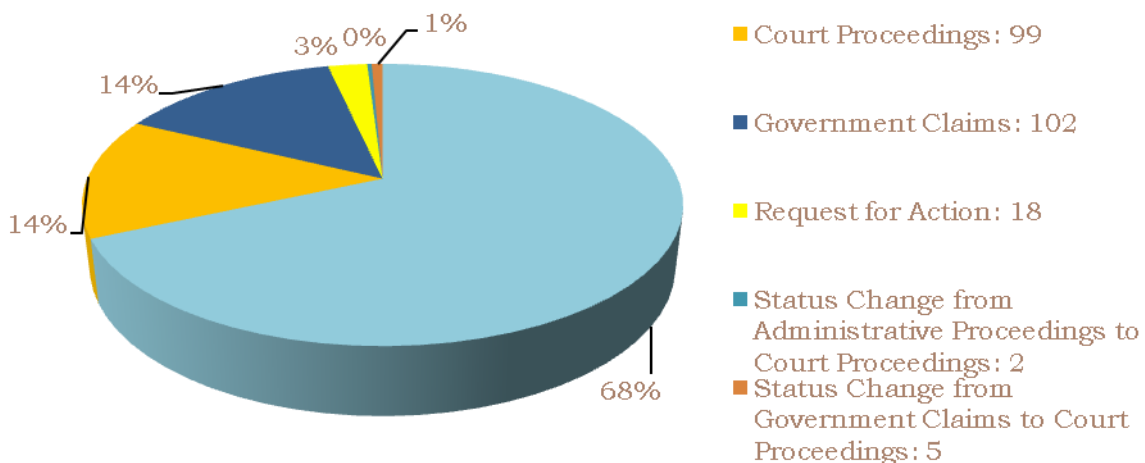
Civil Litigation

Litigation Requests

2012 Civil Litigation Performance			
Action	Open	Closed	Total Requests Per Category
Administrative Proceedings	317	170	487
Court Proceedings	78	21	99
Government Claims	68	34	102
Requests for Action	15	3	18
Status change from Administrative Proceedings to Court Proceedings	2	0	2
Status change from Government Claim to Court Proceedings	5	0	5
Total	485	228	713

Litigation Performance Workload Breakdown by %

Total: 713



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.

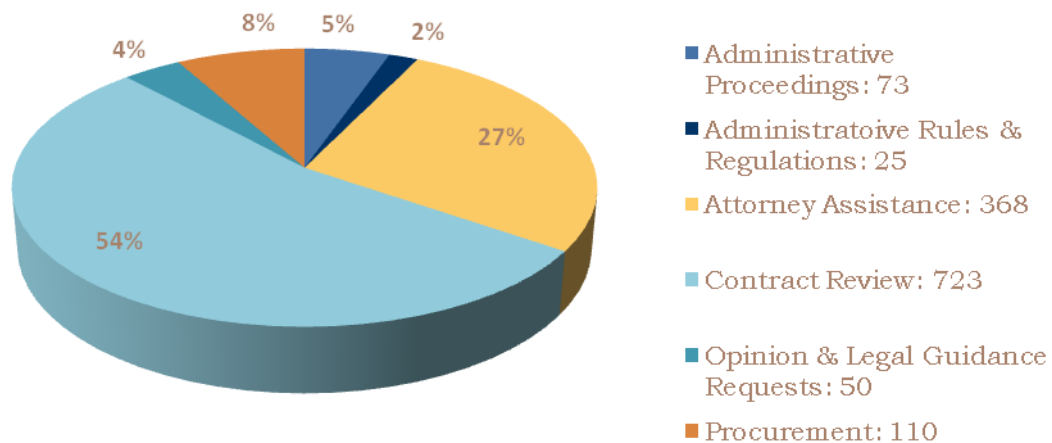
The **Notary Unit** is under the Solicitors Division. The Notary Unit administers and enforces the Model Notary Law. This includes administering notary tests, responding to inquiries from notaries and members of the public, auditing notary journals and issuing certificates of notary certification when 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

Solicitors Request

2012 Solicitors Performance			
Action	Open	Closed	Total Requests Per Category
Administrative Proceedings	36	37	73
Administrative Rules & Regulations	9	16	25
Attorney Assistance	164	204	368
Contract Review	114	609	723
Opinion & Legal Guidance Requests	25	25	50
Procurement	38	72	110
Total	386	963	1349

Solicitors Performance Breakdown of Workload by %



Solicitors

Notary Report

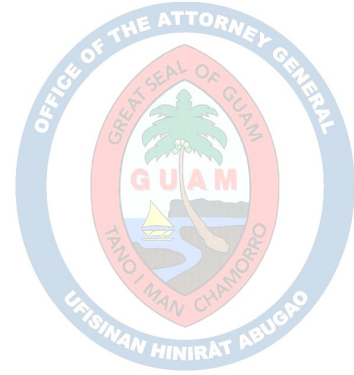
2012 Notary Report & Income Received			
Category	Private	* Total \$ Collected	Government
New Notaries	57	\$ 5,100.00	6
Renewal Notaries	76	\$7,500.00	1
Certificate of Authority Requests	50	\$2,500.00	0
Total	183	\$15,100.00	7

* Pursuant to Public Law 30-59, enacted in November of 2009, notary application fees from \$50 to \$100 and raised the Certificate of Authority fees from \$25 to \$50. All government notary fees are waived and all amounts are paid to the Treasurer of Guam; are non-refundable and non-transferable.



Jay Fejeran, Notary Unit Contact

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	271
Special Proceedings	114
Pre-Adjudicatory- Diversionary Program	11
Delinquency	458
TOTAL	800

Family Division

Juvenile Drug Caseload

Drug Court Cases

Possession of Schedule I Controlled Substance (Marijuana)	122
Possession of a Scheduled I Controlled Substance in a Drug Free School Zone	118
Possession and Consumption of Alcohol	75
Illegal Possession of Inhalants	1
Possession of Schedule I with the Intent to Deliver/ Distribute	11
Possession of Schedule I Controlled Substance (Spice)	15
Possession of a Scheduled I (Spice) Controlled Substance in a Drug Free School Zone (DFSZ)	13
Conspiracy to Commit Possession of Schedule I with the Intent to Deliver/Distribute	2
Guilt by Complicity (Possession of a Schedule I)	1
Guilty by Complicity (Possession of a Schedule I on a Drug Free School Zone)	1
Possession of Tobacco Underage	8
Illegal Possession of a Schedule II Substance	1
Illegal Possession of a Schedule II Substance	1
Illegal Possession of a Schedule I Substance	2
Illegal Possession of a Schedule I Substance	2
Conspiracy to Commit Possession and Use of Alcohol Underage	7

** 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

Juvenile Drug Caseload Cont.

Other Offenses Committed with Drug Court Cases

Theft of Property	4	Violation of a Court Order	1
Public Drunkenness/Intoxication	10	Driving While Under the Influence of Alcohol	5
Burglary	1	Driving While Under the Influence (Spice)	1
Beyond Control	2	Operating a Motor Vehicle While Under the Influence	5
Disorderly Conduct	10	Attempted Criminal Mischief	1
Assault on a Peace Officer	2	Guilt by Complicity (TOP)	2
Assault	8	Robbery	1
Aggravated Assault	2	Harassment	3
Conspiracy Burglary	3	Prohibition of Smoking in a Vehicle When a Child is Present	1
Reckless Driving	5	Forbidden Entry	4
Unauthorized Use of a Motor Vehicle	2	Imprudent Driving	1
Curfew	14	Criminal Trespassing	2
Family Violence	1	Confiscated Contraband	1
Operating a Motor Vehicle without a Driver's License	4	False Identification of a Minor	1
Criminal Mischief	3	Fraudulent Use of a License Plate	1
Criminal Mischief of a Motor Vehicle	1	Indecent Exposure	1
Crime Against the Community	2	Improper Storage of an Open Container of	3
Resisting Arrest	5	in a Vehicle	
Guilt by Complicity (Unauthorized Use of a Motor Vehicle)	2		
Unauthorized Use of a Motor Vehicle	2		
Eluding a Police Officer	2		
Theft of Property-Motor Vehicle	1		

** 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	51
Beyond Control	63
Total	114

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

Attempted Murder	1	Indecent Exposure	7
Graffiti	21	Curfew	17
Burglary	56	Beyond Control	10
Robbery	9	Eluding a Police Officer	2
Attempted Burglary	1	Criminal Mischief	28
Burglary of a Motor Vehicle	13	Arson	2
Complicity (Robbery)	5	Criminal Mischief of a Motor Vehicle	17
Family Violence	13	Criminal Trespass	21
Assault	86	Possession of a Controlled Substance I (Spice)	1
Aggravated Assault	24	Possession of a Controlled Substance I (Marijuana)	1
Assault (Mutual Combat)	4	Possession of a Controlled Substance I on a Drug Free School Zone	1
Assault (Rioting)	13	Harassment	53
Theft of Property (Motor Vehicle)	13	Attempted Robbery	1
Theft of Property	63	Possession of Alcohol Underage	23
Conspiracy (Theft)	22	Crime Against the Community	6
Complicity (Burglary of a Motor Vehicle)	3	Public Drunkenness	1
Conspiracy (Burglary of a Motor Vehicle)	4	Terroristic Conduct	2
Obscene, Annoying, Harassing Communication by Computer	1	Attempted Theft of Property (Motor Vehicle)	1
Attempted Theft	3	Leaving the Scene of an Accident	1
False Alarm	1		

Family Division

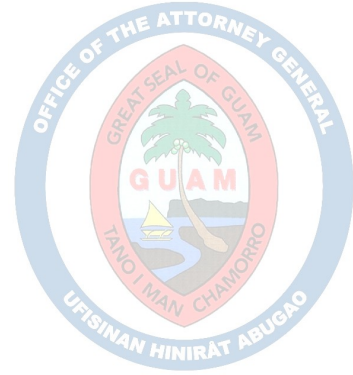
Juvenile Delinquency Caseload Cont.

** 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 Cont.

Possession of Tobacco	2	Complicity (Graffiti)	2	Fourth Degree Criminal Sexual Conduct	16
Open Container	1	Complicity (Aggravated Assault)	2	Obstruction of Government Functions	1
Complicity (Open Container)	1	Conspiracy (Theft of Property-Motor Vehicle)	2	Hindering Apprehension	2
Terrorizing	12	Complicity (Harassment)	6	Conspiracy (Criminal Mischief)	1
Violation of Court Order	3	Complicity (Theft of Property-Motor Vehicle)	3	Forbidden Entry	4
Unauthorized Use of a Motor Vehicle	15	Complicity (Burglary)	20	Making a False Report	2
Driving While Under the Influence	1	Complicity (Criminal Mischief of a Motor Vehicle)	2	Resisting Arrest	4
Operating a Motor Vehicle without a Valid Driver's License	9	Complicity (Theft of Property)	4	Assault on a Peace Officer	4
Riding on Bicycles	1	Conspiracy (Harassment)	1	Disorderly Conduct	25
Prohibitions	2	Felonious Restraint	1	Reckless Conduct	5
Failure to Report an Accident	1	Fraudulent Use of a License Plate	1	Jurisdiction Over an Adult	1
Reckless Driving	5	Ordinary Escape	8		
Conspiracy (Attempted Burglary)	1	Possession of Deadly Weapon during the Commission of a Felony	9		
Conspiracy (Criminal Mischief-Motor Vehicle)	3	Theft By Receiving	7		
Complicity (Attempted TOP)	1	Attempted 2nd Degree Criminal Sexual Conduct	1		
Conspiracy (Attempted TOP)	1	First Degree Criminal Sexual Conduct	9		
Conspiracy (Burglary)	40	Second Degree Criminal Sexual Conduct	10		
Conspiracy (Graffiti)	5	Third Degree Criminal Sexual Conduct	9		
Conspiracy (Aggravated Assault)	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 735 felonies filed and 1,207 misdemeanors filed. 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.

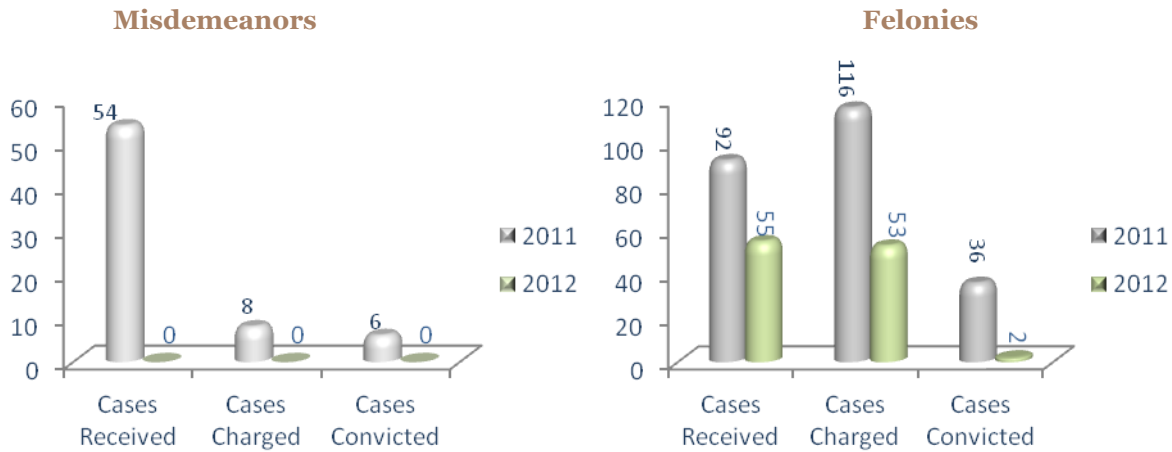


J. Basil O'Mallan III
Chief Prosecutor
Prosecution Division

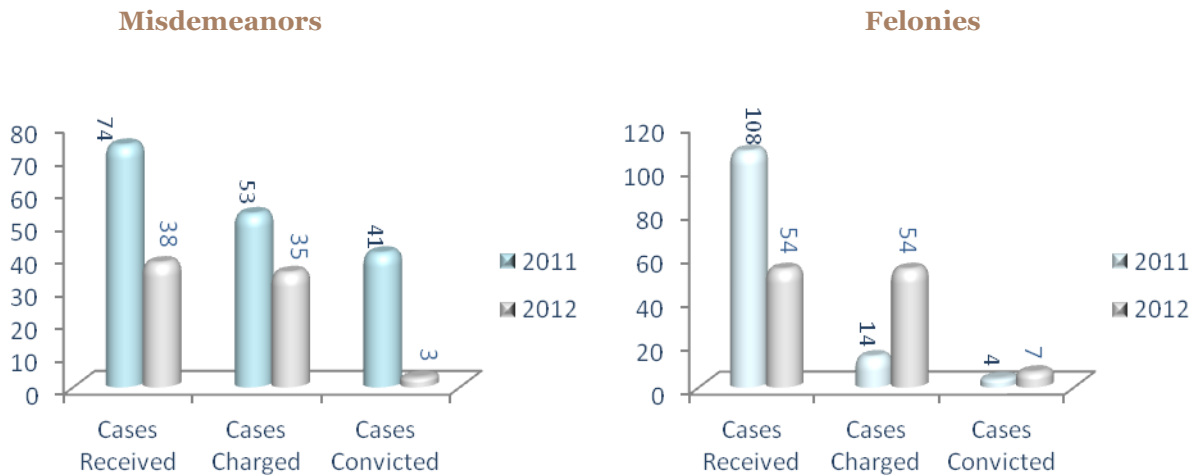


The Investigators Unit

Criminal Sexual Conduct Cases



Child Abuse Cases



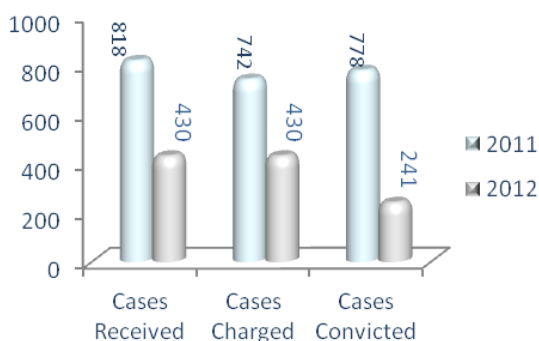
* The decrease in the filing of cases for 2012 among certain categories of crimes or offenses as compared to the previous year is subject to a host of variables which include, but are not limited to: the need for further investigation due to the nature and complexity of the case; law enforcement making 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

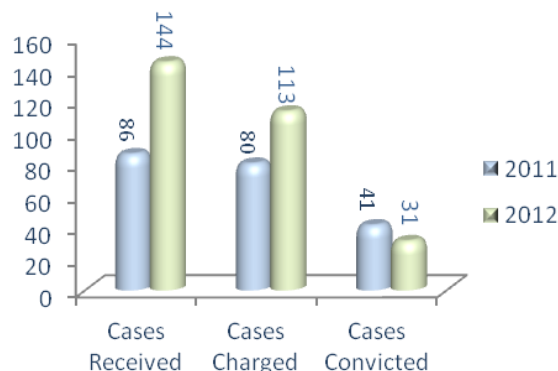
Caseload Statistics

Driving While Under the Influence (DWI) Cases

Misdemeanors

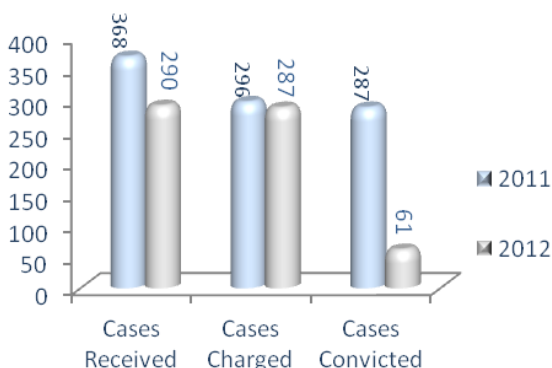


Felonies



Family Violence Cases

Misdemeanors



Felonies

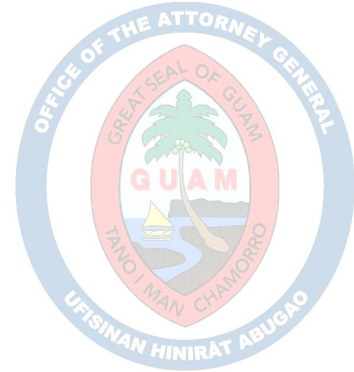


* The decrease in the filing of cases for 2012

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 2012. 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.guamag.org. 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



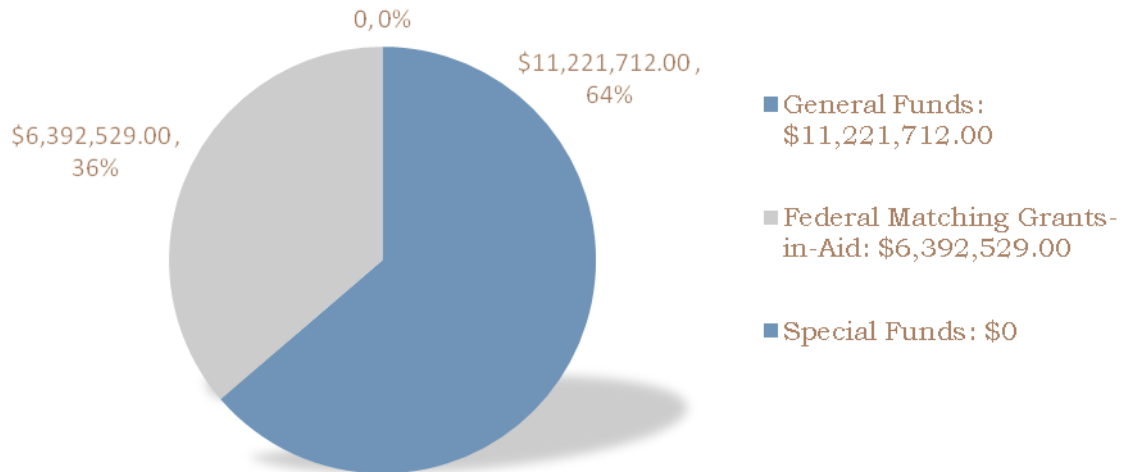
Terry Ascura
Acting Chief of Administration

Administration

Office Funding & Staffing

FY 2012 Budget Breakdown

Total: \$17,614,241.00



Funding in Review			
Year	General Funds	Federal Matching	Total Funding
2012	\$11,221,712.00	\$6,392,529.00	\$17,614,241.00
2011	\$10,544,801.00	\$4,645,844.00	\$15,190,651.00
2010	\$8,213,976.00	\$5,745,419.00	\$13,959,395.00

OAG Staffing Pattern (as of 09.25.2012)	
Attorneys	49
Investigators	18
Support Staff	94
Total	161

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

2012 Highlights

OAG Civil Division's Governmental Procurement Workshop Deemed a Success

The Office of the Attorney General held a series of governmental procurement workshops in the early part of 2012.

The workshop, titled *Acquisition of Professional Services: Developing a Request for Proposal and Conducting a Procurement*, provided government agencies a better understanding of acquiring professional services through request for proposals (RFP) and the personal liability incurred if the RFP's are handled incorrectly.

Directors and staff members from various government agencies attended the workshop.

"We feel that this was a successful workshop because those who were in attendance asked a lot of thoughtful questions and gave us great feedback on the evaluation forms," said Assistant Attorney General Deborah Rivera.

According to the anonymous evaluation forms, the presenters were "articulate, versatile and knowledgeable" on the procurement process and "provided clarification on procurement laws, regulations and procedures." Feedback also included interest in workshops beyond RFP's, but still within the scope of procurement.

"What is really great about this is that agencies want to learn more, they want to attend workshops for things like Memorandum of Understanding (MOU) and Invitation for Bid (IFB)," said Assistant Attorney General John Weisenberger.

"We intend on holding workshops for those subject matters later on down the road. For now, we want to educate all agencies on the material included in Workshop No. 101."



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

2012 Highlights

Guam Child Support Enforcement Investigator Wins 2012 Outstanding Manager of the Year Recognized by the National Child Support Enforcement Association

Pauline R. Chaco, Investigator IV for the Child Support Division of the Office of the Attorney General, was chosen as the recipient of the National Child Support Enforcement Association's (NCSEA) 2012 Outstanding Manager of the Year Award.

Each of the 50 states and U.S. territories were given the opportunity to nominate their candidates for this prestigious award that recognizes experienced managers in the public and private sector who have made significant contributions to improving the lives of children through their efforts to promote more effective child support enforcement at the local level.

"Pauline has made significant contributions to the local child support community and we are so pleased she has been recognized on the national level for all her successes. This proves her ability to serve the needs of the children and parents of Guam; she has made this Office and our Island proud," said Attorney General Rapadas.

Child Support Hosts Second Employers Symposium

In our effort 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, the Child Support Division of the OAG hosted its second employers symposium titled "Bridging the Gap," on Friday, September 28, 2012 at the Sheraton Laguna Resort in Tamuning, Guam. There were over 100 representative from different organizations in attendance.

The symposium served as an excellent opportunity for organizations to become better informed on the laws and processes of the National Child Support System on topics such as new hire reporting income withholding order and notice, national medical support notice, payment methods, verification of employment and wage inquiry and privacy concerns.

2012 Highlights

LaniKate Task Force Works to Prevent and Reduce Child Sexual Abuse

A little under two years ago, *The LaniKate Protehi Y Famagu'on-ta Act* was enacted, creating a task force working to prevent and reduce child sexual abuse from occurring on our island.

Since its enactment, Attorney General Rapadas, presiding officer of the task force, and other government agencies, not-for-profit organizations, and private companies submitted its first report to the Office of the Governor and members of the Legislature.

The task force, who met regularly throughout the year to discuss an action plan on how to accomplish the goals of the legislation, gathered information on sexual abuse.

2011 statistical reporting from various agencies shows how much of a dilemma this has become. Guam Police Department (GPD) reports indicate that 74 arrests were made for criminal sexual conduct and 22 arrests were made for forcible rape. Data provided by the Office of the Attorney General (OAG) indicates 42 convictions of criminal sexual conduct and 126 criminal sexual conduct cases pending. In the juvenile division of the OAG, there were 22 juveniles charged with offenses relating to some form of sexual abuse. Referrals in excess of 1,800 were reported to the Department of Public Health and Social Services (DPHSS) in which a total of 2,512 children were involved. Child Protective Services also reported 434 children were subjected to sexual abuse and indicated that there were 78 children referred to the agency for teen pregnancy.

“These numbers are staggering... there is no question that Guam is in need of an expansion in its current services and program for victims, and that a more comprehensive system needs to be developed to ensure victims are provided with the full realm of therapeutic services needed for both short-term and long-term treatment,” said Attorney General Rapadas.

“I want to thank all the members of the task force for their commitment, dedication, and diligence as they worked for our island’s children. The work continues however, as this is the first fundamental step needed to initiate an island-wide commitment in the right direction.”

This is the first step in a series of steps that the Office of the Attorney General, along with its counterparts, are actively working on to combat child sexual abuse.

2012 Highlights

Attorney General's Office Wins DISID's Project Act Now Competition

The Office of the Attorney General (OAG) has earned the highest points relative to implementing readily achievable accommodations for individuals with disabilities and won the Department of Integrated Services for Individuals with Disabilities' Evaluation, Enforcement, and Compliance (DEEC) Project Act Now competition.

DEEC Project Act Now was DISID's challenge to all Americans with Disabilities Act (ADA) Coordinators of various government of Guam line and autonomous agencies to be in compliance with the ADA Amendments Act (ADAAA) of 2008 by the federally mandated deadline of March 15, 2012.

Assistant Attorney General Devorah Covington and OAG ADA Coordinator, Carlina Charfauros, took the lead in educating their colleagues on the ADAAA of 2008 through in-house training; conducted a building inspection listing known deficiencies; supplied the building engineer with measurement specifications for small renovation jobs around the client receiving areas; and finally, completed a checklist and prepared a memo of building deficiencies that was sent to DISID for concurrence.

"I am so proud of Devorah and Carlina for helping our Office to achieve compliance with the limited means given to them... big congratulations to them both," said Attorney General Rapadas.

"We want to be a role model for other government agencies and private entities and encourage them to do their best to make small changes where necessary. If we can do it, you can too," he continued.

"We could not have done this without the support of the AG, our chief deputy and all of our colleagues... so a big 'thank you' to all of them," said Charfauros.

OAG Receives Semi-Autonomous Status Thanks to Passage of Public Law

The passage of Bill No. 286-31 enhanced the abilities of the Attorney General and his office to effectively and efficiently execute its responsibilities as the Chief Legal Officer of the government of Guam, as well as the Public Prosecutor for the Territory of Guam. The Office of the Attorney General must have the autonomy to control and manage its own budgetary and personnel resources including the ability to hire and employ the attorneys, investigators, and staff necessary to carry out its duties and safeguard the interests of the People of Guam.

"The public and private sectors of our community and all residents of Guam expect their elected Attorney General and the office to function independently and with integrity which will be far better achieved when provided the autonomy necessary to perform its duties and responsibilities," stated Attorney General Rapadas.

2012 Highlights

Child Support Receives \$2.8 MILLION in Arrears through Tax Refund

In January 2012, The Child Support Enforcement Division (CSED) of the Office of the Attorney General has received approximately \$2.8 million in child support arrears from the bond-funded tax refunds from the Department of Revenue and Taxation (DRT), which garnished this amount from non-custodial parents.

An estimated \$655,000 of the \$2.8 million is being reviewed for payment owed to the government of Guam for the Temporary Assistance to Needy Families (TANF), or public welfare assistance service it provides to the custodial parents and their children.

The remaining balance of about \$280,000 from the \$2.8 million dollars will not likely be distributed anytime soon due to incomplete or outdated information of both custodial and non-custodial parents. This information includes both addresses; mailing and residential, and contact information like updated phone numbers and email.

“I urge everyone in the community, especially parents with children in the child support system to update your contact information. Give us a call or email us and tell us of an address change or any other contact information that may have changed so we can update your file,” said Attorney General Leonardo M. Rapadas.

“So much money is just sitting there waiting to reach a child in need...for them not to have it because there is no address to send the check to should not be an excuse. Let’s work together to ensure our children get what they deserve and need,” said Rapadas.

2012 Highlights

CSED Receives Financial Approval for Phase Two of the APÅSI System Upgrade

The Child Support Enforcement Division (CSED) of the Office of the Attorney General received approval from the Federal Office of Child Support Enforcement in the amount of \$1,847,000 for its Planning Advance Planning Document Update (PAPDU) planning activities for the Absent Parent Automated System Information (APÅSI) Upgrade Project in 2012.

The APÅSI System, which was an existing child support application program that was bought in 1996 from the Texas Child Support Enforcement Division, is critical to the services the local government provides for child support. It contains information on every single child support case and performs a wide array of services utilized in-house by employees for daily operations.

“The APÅSI system is necessary in every step of the child support process; whether it is in the early stages of applying for support or dispersing funds to a custodial parent whose child is already 18 years of age. It is vital to the function of every aspect of daily operations of the child support program and a technological upgrade could change the course of thousands of children’s lives by providing an accessible, easy to use information highway,” said Deputy Attorney General of CSED Barbara Cepeda.

“CSED envisions the APÅSI system to be a web based portal that can be utilized in a secure environment for customers of active support cases, employers and child support employees; Phase 2 supports this vision,” she continued.

“With the financial assistance from the federal government, this is our effort to provide greater service to the people of Guam and to our children,” said Attorney General Leonardo M. Rapadas.

2012 Highlights

Guam Office of The Attorney General Makes URL Switch

The Office of the Attorney General's (OAG) Universal Resource Locator- or URL address- has been changed from "Guamattorneygeneral.com" to "Guamag.org."

This switch impacted two main functions of OAG communications: individuals accessing our website and those with whom we interact with to perform our public servitude.

The URL switch was necessary to facilitate additional security measures and to remedy the frequent email rejections by federal and state government agencies of OAG emails because of the use of a ".com" domain.

"This will not, in any way, preclude us from performing our daily operations of serving the community. We will continue our mission uninhibited, making sure to double check that both in-house and out-of-house email transactions has been received by the appropriate party or parties," said Carlina Charfauros, spokesperson for the OAG.

"We ask the community to please be patient with us as we acclimate to the switch. Please be cognizant of the URL website and email address change so we can continue to function in a timely, efficient and accurate manner," she continued.

Attorney General's Office Upgrades Phone System to Better Serve Public

Attorney General Leonardo Rapadas is working to improve the quality of service to patrons, starting with the reprogramming and upgrading of the office's phone system.

"Even before Attorney General Rapadas took the helm of the office, hundreds of complaints regarding the telephone system were made, as far back as five years ago. The Attorney General does not want this problem to linger any longer and has demanded that we improve our communication system. This is the first step," Charfauros said.

According to Charfauros, phone numbers will be reassigned for each division and the automated voice system will be improved for efficiency and accuracy between caller and receiver. She asked for the public's patience and understanding while these steps are taken. Charfauros said she is confident that the public will notice and appreciate the improvements.

The phone system was reprogrammed by Dimension Systems and mandatory training for office personnel was conducted.