PUBLIC DEFENDER SERVICE CORPORATION
Board of Trustees Regular Meeting
Tuesday, July 29, 2014
Conference Room,
Public Defender Service Corporation
12:30 p.m.

A G E N D A

I. Call to Order

II. Roll Call

III. Proof of Due Notice of Meeting:

5 Working Days Notice:	Marianas Variety, Tuesday, July 22, 2014
48 Hours Notice:	Marianas Variety, Friday, July 25, 2014

IV. Determination of Quorum

V. Approval of Minutes: (Regular Meeting of June 24, 2014)

VI. Old/Unfinished Business:

A. Financial Status Update (PDSC and APD Allotment Releases)
B. Domestic Violence Program Update
C. Alternate Public Defender Update
D. PDSC Director's Performance Review

VII. New Business:

A. Implementation of Competitive Wage Act of 2014 (CWA): Pay Period Beginning August 10, 2014
B. Results of Grant-Writing Research
C. Diversity Training for PDSC Employees

VIII. Public Discussion

IX. Executive Session

X. Adjournment and Next Meeting Date

Father, son, squadron team renovate Chagui'an memorial

Contributed photo

Jackson Umlauf and his father, Maj. Kurt Umlauf, 36th Munitions Squadron operations officer, brought together the 36th MUNS Airmen and Boy Scouts of America Troop 1420 to update the memorial site.

(36TH WING) – Members from the 36th Munitions Squadron and Boy Scouts of America Troop 1420 were recognized for their efforts in renovating the forgotten Chagui'an Massacre Memorial site during a memorial ceremony in Yigo on July 14.

Due to the fact that there were no survivors of the massacre, little is known about what actually happened in the Chagui'an Massacre. It was documented in a military report that on Aug. 8, 1944, a patrol of U.S. Marines discovered the decapitated bodies of 45 Chamorro men at Chagui'an in Yigo. The story of these men was forgotten until 2004 when students from the University of Guam came across journals of Japanese officers telling the tale.

The first memorial ceremony for the Chagui'an Massacre was held in 2008. At the time, no monument was at the site and the site itself was difficult to find. After Troop 1420 Boy Scout Jackson Umlauf attended the memorial ceremony in 2013, he thought more could be done to honor those who lost their lives during the massacre.

Jackson Umlauf and his father, Maj. Kurt Umlauf, 36th Munitions Squadron operations officer, brought together the 36th MUNS Airmen and Boy Scouts of America Troop 1420 to update the memorial site.

More than 400 hours of work went into the beautification of the site. As Yigo's sister squadron, the members of the 36th MUNS worked to improve the site alongside the scouts, who ranged in ages from 9 to 15.

Partners

The Sister Squadron-Sister Village Program partners a squadron from Andersen Air Force Base with a local village to develop relationships between the base and the local community.

"The squadron supported the project by providing volunteers," said the major. "Jackson created a schedule of sessions both on- and off-site to keep the project moving forward as funds were streaming in and materials were becoming available."

After five months of planning and two months of labor, the memorial was completed in time for this month's ceremony. Along with cleaning up the site, the team created four planter boxes and two garbage receptacles, planted a memorial garden, installed a memorial stone with an inscription and added two concrete benches. They also installed a series of informational street signs to lead guests from Marine Corps Drive to the memorial site.

"I'm very proud to have made such an impact; it first hit me when people were thanking us for installing the informational signs on Marine Corps Drive," said Jackson Umlauf in regards to helping point people in the direction of the ceremony, which was tucked away off the regularly beaten path.

In his closing remarks during the ceremony, Rudy Matanane, mayor of Yigo, thanked Jackson, his family, and the 36th MUNS for their efforts.

"Their spirits of cooperation and volunteerism has made this village sister command relationship work as a true family unit," said Matanane. "We thank you, airmen, for a job well done."

(By Senior Airman Katrina M. Brisbin, 36th Wing Public Affairs)

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct a regular meeting on **Tuesday, July 29, 2014 at 12:30 p.m.** in the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation (address above).

Individuals requiring special accommodations are asked to contact Mrs. Bernadette S.N. Chargualaf at 475-3100.

/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

This public notice is paid for with government funds administered by the Public Defender Service Corporation.

MRE partners with firm for solar project

By Louella Losinio
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Variety News Staff

MICRONESIA Renewable Energy Inc. (MRE) has announced a partnership with SUNNOVA for Solar4All, marking the island's first zero-money-down solar energy service program for residential homeowners, according to a release from the company.

The group will be launching the project tomorrow at the MRE office in Tamuning to provide homeowners with an alternative, cleaner power generation system that would facilitate savings.

Under the Solar4All project, MRE will install the system for free and also provide maintenance for the life of the agreement. In addition, MRE will also dispatch a crew should issues arise with the system to get it back online immediately.

For its part, SUNNOVA will remotely monitor the system to ensure peak performance. Under the program, eligible homeowners simply pay monthly fees for solar power but at lower rates than they are currently paying for power. Moreover, customers can "lock in" the lower electricity rates for the duration of the contract.

Aside from the potential savings and the zero down offer, homeowners can also increase property values and reduce their carbon footprint by having a system installed.

MRE specializes in the development, design, engineering, procurement and construction of renewable energy infrastructure and alternative energy solutions.

SUNNOVA is a solar power company providing nationwide coverage with local-minded service to thousands of homes across the United States. Its mission is to be the most reliable and efficient provider of low-cost solar power to homeowners.

Watchdog group says archbishop's behavior was 'dangerous'

By Jasmine Stole
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Variety News Staff

ARCHBISHOP Anthony Apuron continues to be criticized by leaders of the Survivors Network of those Abused by Priests (SNAP).

The group that recently publicized molestation accusations against Rev. John Wadeson, who until Tuesday was serving under the Agana Archdiocese, released another statement calling Apuron's behavior "dangerous."

According to Joelle Castiex, SNAP western regional director, Apuron knew Wadeson was a predator and had been banned from Los Angeles, California.

"But (Apuron) simply didn't care," she said. "That behavior is unacceptable, reckless and against common morality."

SNAP Outreach Director Barbara Dorris said Apuron acted "like a bully" when local Catholics became upset upon learning about Wadeson being allowed to work on Guam. Dorris said Apuron defended a banned priest and silenced his critics.

Wadeson was removed from the Archdiocese of Agana on Tuesday, according to an announcement in a public statement from the Archdiocese of Agana. Since then, the archdiocese has not commented about the accusations against Wadeson or his future.

However, Wadeson told other local media that the accusations against him were lies about him and Apuron. These comments are hurtful and self-aggrandizing, SNAP leaders said in a statement. According to the network, Wadeson is headed to California, which is where he had been stationed as an incardinated priest under the Agana Archdiocese.

Photo shows Archbishop Anthony Apuron and the embattled Rev. John Wadeson, who until Tuesday was serving under the Agana Archdiocese. Contributed photo

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Eddie Baza Calvo, Governor
Ray Tenorio, Lt. Governor

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/s/ CLAUDIA S. ACFALLE
Chief Procurement Officer

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/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman

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Plea proceedings pushed back for man accused of killing wife

By Gina Taborares-Reilly
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Variety News Staff

THE change of plea proceedings during which Roland San Nicolas Smith is expected to admit that he murdered his common-law wife was moved to Aug. 12 to provide the parties with more time to finalize some glitches in the plea agreement.

Defense and government lawyers were in the courtroom of Superior Court Judge Vernon Perez yesterday morning but the change of plea proceedings had to be continued to allow Alternate Public Defender Anne Gayle to review the revised copy of the plea agreement submitted by Assistant Attorney General Brian Gallagher.

Smith, who is accused of killing Amanda Tedtaotao Cruz, was first scheduled to change his plea on April 3 but that hearing was pushed back while the government attorney tried to contact the family of the victim to inform them of the plea deal.

Smith is accused of beating Cruz with a metal pipe on Oct. 10, 2010. Cruz died from blunt force trauma. When police responded to a domestic violence call in Agat where the couple and their 11-year-old son lived, they found Cruz lying in the master bedroom with her head bleeding profusely.

According to court documents, before Cruz died, investigators managed to get statements from her. She reportedly told police that Smith called her into their bedroom to talk and upon entering the room he started beating her with a pipe.

Smith was also taken to Guam Memorial Hospital for treatment of a laceration to his neck. The defendant tried to commit suicide by inflicting the wounds on himself.

Restraining order

Four years before the tragedy, Cruz had obtained a restraining order against Smith while she was staying at Alee Shelter. She told the court that throughout the eight years they were together, Smith physically, mentally and verbally abused her and her children.

In her March 5, 2006 request for a restraining order, Cruz said Smith threatened to cut her head off and throw it out the window. She said whenever she tried calling the police, Smith would tell her son to disconnect the phone.

"I am fearful that a temporary and permanent injunction is necessary to keep the defendant from coming around me and inflicting more damage, or a possible confrontation with me or other persons living at my home or with me," the victim stated in a March 7, 2006 affidavit.

Kmart cashier arrested for theft

By Gina Taborares-Reilly
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Variety News Staff

A 43-year-old Kmart cashier was arrested and charged with theft as a third-degree felony after she was caught stealing cash and merchandise from the discount department store.

The cashier, Vicky Lyn Santos, had been the subject of surveillance by Kmart security.

Kmart security called the Guam Police Department on July 22 and confronted Santos for allegedly pocketing approximately $780 cash as well as merchandise in May. The total value of the missing items was $795.98.

During the confrontation with Santos, she reportedly made statements to Kmart security as well as to the police admitting to the theft. Store videos depicting the alleged incidents were given to the police.

Santos was magistrated yesterday and is scheduled for arraignment next week.

Marianas Variety-Guam Edition is circulated by home and office delivery, consignments, and vending machines throughout Guam, as mail delivery to the Federated States of Micronesia, the Marshall Islands, South Pacific, Hawaii, Japan and the continental U.S. Daily coverage can also be read from our website **www.mvguam.com.**

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PUBLIC DEFENDER SERVICE CORPORATION
BOARD OF TRUSTEES
Regular Meeting
of
Wednesday, June 24, 2014
12:50 p.m.
PDSC Conference Room

MINUTES

I. CALL TO ORDER:

This meeting was called to order by the Chairman, Chief Justice Robert J. Torres at 12:50 p.m.

II. ROLL CALL:

Present: Presiding Judge Alberto C. Lamorena III
Attorney Cynthia Ecube, Guam Bar Association President
Attorney Donna M. Cruz, Member
Mrs. Annette J. U. Ada, Member

Others Present: Attorney Eric D. Miller, PDSC Executive Director
Attorney Stephen P. Hattori, Alternate Public Defender
Bernadette S.N. Chargualaf, PDSC Administrative Director
Michael S. Moreno, Chief Fiscal Officer
Bernadette L.P. Lizama, Personnel Specialist IV
Julito B. Tingson, Jr., MIS Administrator
Robbie T. Call, Chief Investigator
Cecelia M. Fernandez, Administrative Assistant

III. PROOF OF DUE NOTICE OF MEETING:

"Notice of Public Meeting" was published in Marianas Variety on Tuesday, June 17, 2014 and Friday, June 20, 2014.

IV. DETERMINATION OF QUORUM:

With the presence of four (4) board members, a quorum was determined for this meeting.

V. APPROVAL OF MINUTES:

Minutes of the regular board meeting held on Wednesday, June 04, 2014 were adopted and approved, subject to corrections.

VI. OLD BUSINESS:

A. **Financial Status Update (PDSC and APD Allotment Releases):** Chief Fiscal Officer Michael S. Moreno reported that PDSC has received allotments through the first half of June 2014 (95%); allotments for the Alternate Public Defender (APD) were received through the month of June 2014 (3rd quarter, 100 %).

B. **Domestic Violence Program Update:** Program continues its progress. Currently, 2012 STOP funds are being used. FY2013 monies have been approved, and will fund the program through April 2015.

C. **Alternate Public Defender Update:** APD Attorney Stephen P. Hattori indicated that APD's vacancies for an Attorney IV and a Legal Clerk I remain. Recruitment for both positions is active as of this date.

D. **PDSC Director's Performance Review:** Executive Director Eric Miller reported on some of the items brought to his attention at a previous meeting. This included the formation of a PDSC Employee Association; a survey was distributed to employees, which came back with a majority of NO votes. Director Miller indicated that the matter will be re-visited in the fall of this year.

E. **PDSC Drug-Free Workplace Policy Update:** Personnel Specialist IV Bernadette Lizama informed those present that the Memorandum of Understanding with the Department of Administration has been cleared with the office of the Attorney General and is now at the Governor's office for his signature. Presiding Judge Lamorena inquired as to whether any training sessions to educate PDSC employees regarding the policy are planned, to which Ms. Lizama indicated affirmatively.

VII. **NEW BUSINESS:** None.

VIII. **PUBLIC DISCUSSION:** None.

IX. **RECESS OF REGULAR MEETING:**

*** **This meeting was recessed at 12:55 p.m. and went into Executive Session for further discussion of the PDSC Executive Director's Performance Review.**

X. **EXECUTIVE SESSION:**

XI. **RECONVENING OF REGULAR MEETING:** This meeting reconvened at approximately 1:45 p.m.

XII. **ADJOURNMENT AND NEXT MEETING DATE:** The next meeting will take place on Tuesday, July 29, 2014.

There being no further business up for discussion, this meeting was adjourned at 1:50 p.m.

Respectfully submitted,

BERNADETTE S.N. CHARGUALAF
Secretary