### PUBLIC DEFENDER SERVICE CORPORATION

### Board of Trustees Regular Meeting Tuesday, July 19, 2016 – 12:30PM Conference Room Public Defender Service Corporation

### AGENDA

I. Call	to	<b>Order</b>
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### II. Roll Call

### III. Proof of Due Notice of Meeting:

A. Notice: 5 Working Days

The Guam Post, Tuesday, July 12, 2016

B. Notice: 48 Hours

The Guam Post, Friday, July 15, 2016

### IV. Determination of a Quorum

V. Approval of Minutes: Regular Meeting of Tuesday, May 17, 2016

### VI. Old Business:

- A. Financial Status Update (PDSC and Domestic Violence) Allotment Releases
- B. Financial Status Update (APD) Allotment Releases
- C. Public Defender Service Corporation's Executive Director's Update
- D. Alternate Public Defender Managing Attorney's Update
- E. APD Corporate Vehicle Acquisition (Procure/Lease)
- F. NADCP 22<sup>nd</sup> Annual Training Conference Up-date by APD Managing Attorney

### VII. New Business:

- A. Request for Above Step Recruitment for Attorney Level 3, Haig T. Huynh, Esq.
- B. PDSC Retro Pay Reconstruction for Attorney Brian E. Kegerreis
- C. Internship Stipend
- D. PDSC Office Rental Up-date
- E. Wicklander-Zulawski Seminar Interview & Interrogation

### VIII. Public Discussion:

### IX. Adjournment and Next Meeting Date:

Tuesday, August 16, 2016 at 12:30PM

### NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct its regular scheduled board meeting on **Tuesday**, **July 19**, **2016** at **12:30** p.m. at 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.

Individuals requiring special accommodations are asked to contact Ms. Cathy Gogue at 475-3100.

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

Chairman

This public notice is paid for with government funds.



### **GUAM POWER AUTHORITY**

ATURIDÅT ILEKTRESEDÅT GUAHAN

P.O. BOX 2977 • AGANA. GUAM U.S.A. 96932-2977

### **PUBLIC HEARING NOTICE**

Date: August 17, 2016

Time: 3:00 p.m.

Place: Gloria B. Nelson Public Service Building

Fadian Mangilao

Board Conference Room, 3rd Floor

This public hearing will address a proposed GPA organizational realignment. A copy of the executive summary and proposed organizational chart may be examined at the Executive Office or the Human Resources office or visit the website at <a href="https://www.guampowerauthority.com">www.guampowerauthority.com</a> and click on Human Resources, Careers then Petitions.

(This notice is paid for with GPA Revenue Funds.)





### JOIN US!

## BUILDING HEALTHY NETWORKS & SUPPORT

3<sup>rd</sup> Annual Veterans Health Conference

Saturday, JULY 16, 2016 | 8AM - 3PM
PACIFIC STAR RESORT & SPA

Speakers and Presenters on Health Care and Benefits

FREE! REGISTER NOW - SEATING IS LIMITED

For registration call: (671) 472-0218/9 WestCare Pacific Islands or visit vhc2016.eventbrite.com





Promoting good PHYSICAL, EMOTIONAL, BEHAVIORAL & SPIRITUAL WELL-BEING of our Veterans and Families

Creating POSITIVE, LASTING Networks & Support



Improving SELF-CARE

Building a HEALTHIER & SAFER Community













BUSINESS

47.055 PHPP | 105.50 JPY¥ | 1,137.80 KRW₩ 32.010 TWD NT\$ | 6.6876 CNY¥ | 1.3103 AUD A\$ | 0.9008 EUR €



## Dusit Thani appoints, promotes workers

Dusit Thani Guam Resort this month hired and promoted the following employees:

 Marissa Borja joined Dusit Thani Guam Resort as marketing communications manager on July

Borja has worked for a number of years in public relations and corporate communications. She also worked for KUAM as a news reporter. She also reported for the Marianas Variety and had her own TV Show called Pacific Home & Garden which she created, hosted and produced.

 Miwa Bravo is joining Dusit Thani Guam Resort as director of sales effective, July 18. Bravo will be responsible for driving the Japanese market and help the director of sales & marketing lead the sales team. She will lead the effort to drive more Japanese business.

- Rebecca Manuel has been promoted to director of events. Manuel brings over 16 years of hospitality experience to Dusit Thani Guam. She worked at the Hyatt Regency Guam for over 15 years and the past year at Pacific Star (former Marriott Hotel). Manuel has worked in various departments at the Hyatt, including Food and Beverage, Sales and Marketing, Catering and during the past year as senior event manager at Pacific Star.
- Bradley Montgomery was appointed executive chef on July 12. Montgomery is not new to the Dusit family. He was on the pre-opening team of the Dusit Thani Lakeview in Cairo Egypt, 2008-2009. He has been in the culinary profession for over 26 years and has worked in

locations such as India, Indonesia, Taiwan, Hawaii and Texas. Montgomery graduated from the California Culinary Academy in San Francisco, California, with a degree in culinary arts and graduated with honors.

· Gun Park has been promoted to assistant director of sales. Park joined the company last August and previously was sales manager. Park is passionate in exceeding his sales goals as well as the hotel's revenue goals, and has done an exemplary job increasing the Korean market to the Dusit Thani Guam Resort. He is a graduate of Ansan College in Korea and majored in tourism management. Gun has been in the hotel industry since 2003, most recently at the Pacific Island's Club.

Information was provided in a press release. (Post News Staff)

### StayWell offices will anchor Maite business center



SET TO OPEN NEXT YEAR: Chen Y. Mack, a real estate investor and owner of Yu Property, LLC, Stay-Well Insurance, and Island Home Insurance Company, announced the groundbreaking of the Yu Property Commercial Building in Maite, at the former location of Gold's Gym. The building will comprise 16,800 square feet of commercial office space and it is anticipated to be complete by mid-2017. It will house anchor tenant StayWell and several retail offices. Photo shows, from left: Dafne Shimizu, StayWell vice president of finance; Maureen Sablan, StayWell VP of business development; Chen Y. Mack; Maria Taitano, StayWell VP of administration; and Dr. Anthony Mendiola, StayWell VP medical management.



### **GSA General Services Agency**

(Ahensian Sethision Hinirat) Department of Administration Government of Guam Tel: 475-1707-13 Fax: 472-4217/475-1727



THIS ADVERTISEMENT WAS PAID WITH SPECIAL FUNDS BY:

### DEPARTMENT OF LAND MANAGEMENT

A non-refundable fee of \$10.00 per bid package will be assessed.

Certified Check, Cashier's Check, Cash will be accepted. No personal or company check.

Payment for bid package picked up after 3.00 pm will not be accepted.

### **INVITATION FOR BID**

GSA-075-16 Bid No.:

Opening Date:

GENERAL SERVICES AGENCY, PITI, GUAM

COMPUTER DESKTOP WORKSTATIONS 08/01/2016 Time: 11:00 A.M

Bid No.:

FOR:

Opening Date:

PICKUP TRUCK, 4X4 CREW CAB (LATEST MODEL) 08/01/2016

GENERAL SERVICES AGENCY, PITI, GUAM

2:00 P.M.

Note: GSA recommends that prospective bidders register current contact information with GSA to ensure they receive any notices regarding any changes or updates to the IFB. The procuring agency and GSA will not be liable for failure to provide notice to any party who did not register current contact information.

### INTERESTED PARTY MAY PICK UP FORMS/SPECIFICATIONS AT SAID PLACE

/s/ CLAUDIA S. ACFALLE Chief Procurement Officer

### NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct its regular scheduled board meeting on Tuesday, July 19, 2016 at 12:30 p.m. at 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.

Individuals requiring special accommodations are asked to contact Ms. Cathy Gogue at 475-3100.

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

Chairman

This public notice is paid for with government funds.



### GUAM EDUCATION BOARD

500 Mariner Avenue Barrigada, Guam 96913-1608 Telephone: (671) 300-1627 • Fax: (671) 472-5001 Website: www.gdoe.net/geb



### PUBLIC NOTICE

**Guam Education Board** REGULAR MONTHLY MEETING Monday, July 25, 2016 6 PM Liguan Elementary School, Cafeteria

### **AGENDA**

- Meeting Call to Order
- **Roll Call of Members**
- **Public Participation**
- **Approval of Minutes** 
  - Minutes on June 21, 2016 Regular Meeting

### **Receipt of Communication and Reports**

- Superintendent's Report and Communication
- Head Start Program Director's Report

### VI. Unfinished Business

- 1) GEB Code of Conduct
- Proposed Revisions BP 409-Prevention and Intervention Against Harassment, Intimidation or Bullying, Cyberbullying, Sexting, and Sexual Harassment

### VII. New Business

- 1) McREL International Conference approval
- Transgender Access to Facilities
- 3) School Readiness
- GEB Responses to EFSC Financial Status Designation for May 2016
- NASBE 2016 Friend of Education Award
- Comittee Reports
  - **Executive Committee**
  - Instructional and Academic Support Committee
- Safe and Healthy Schools Committee
- Organizational Efficiency and Development Committee
- Accreditation Subcommittee
- **Budget & Finance Subcommittee**
- **IBOGS Report**
- **GFT Report**
- 9) Mayor's Council Report

### VIII. Executive Session

**Announcements and Adjournment** 

Individuals requiring special accommodations or information may contact Leilani Cruz, Administrative Officer at 300-1627 or by emai: Imbcruz@gdoe.net.

This advertisement was paid by GDOE local funds.

### PUBLIC DEFENDER SERVICE CORPORATION BOARD OF TRUSTEES

### **Regular Meeting**

of

Tuesday, May 17, 2016 – 12:30PM Public Defender Service Corporation Conference Room

### MINUTES

### I. CALL TO ORDER:

The meeting was called to order by the Chairman, Chief Justice Robert J. Torres, Jr., at 12:44 PM.

### II. ROLL CALL:

Present: Chief Justice Robert J. Torres, Jr., Chairman

Attorney Jehan'ad G. Martinez, GBA President Attorney Donna M. Cruz, Member (Excused)

Absent: Presiding Judge Alberto C. Lamorena, III – (Excused)

Mrs. Annette J.U. Ada, Member (Excused)

Others Present: Attorney Stephen P. Hattori, PDSC Executive Director

Attorney AnaMaria C. Gayle, APD Managing Attorney

Cathy Gogue, Administrative Director

Bernadette L.P. Lizama, Personnel Specialist IV

Michael S. Moreno, Chief Fiscal Officer Julito B. Tingson, MIS Administrator

Kenneth A. Lim, Computer Systems Analyst Cecelia M. Fernandez, Administrative Assistant

### III. PROOF OF DUE NOTICE OF MEETINGS:

"Notice of Public Meeting" was published in the Guam Post on Tuesday, May 10, 2016 and Friday, May 13, 2016.

### IV. <u>DETERMINATION OF QUORUM:</u>

With the presence of three (3) of the five (5) board members, a quorum was determined for the meeting.

V. <u>APPROVAL OF MINUTES</u>: Minutes of the regular board meeting held on Tuesday, April 26, 2016 were adopted and approved, subject to corrections.

### VI. <u>OLD BUSINESS</u>:

A. Financial Status Update (PDSC and APD Allotment Releases). Chief Fiscal Officer Michael Moreno reported that through the diligent efforts of our Administrative Director and her continuous communications with the Department of Administration, we are at eighty percent (80%) collection level at this time. We are still waiting for April relative to the collection of our allotments from DOA. We will communicate with the Department of Administration for both these periods.

**Domestic Violence** (STOP 2014 Grant Funding). CFO Moreno reported that we have not received the Memorandum of Understanding from the Federal Program's office; however, we did receive a draft which showed us the amount we will receive for the new grant period. Based on the amount provided in the draft MOU, we are able to afford nine more pay periods for the assigned employee.

Chief Justice Robert J. Torres advised the board that we approved money via an email vote to advance the program so that PDSC is able to cover the employee's salary for the month of March. Chief Justice Torres added that under New Business, within the agenda, we have a resolution to ratify such action.

**APD Allotment.** CFO Moreno reported that we just received the third quarter allotment from Judiciary and we are at one hundred percent.

- **B.** Alternate Public Defender Update. Managing Attorney Annie Gayle reported that Attorney George Valdez started with the office on May 30<sup>th</sup>.
- C. APD Corporate Vehicle Acquisition (Procure/Lease) Chief Justice Torres asked about the lease and because there is nothing yet, Ms. Gayle mentioned she would like to keep it on the agenda for the next meeting.

### VII. <u>NEW BUSINESS:</u>

A. FY2017 Budget Request for Public Defender Service Corporation. Administrative Director Cathy Gogue explained the Fiscal Year 2017 budget that PDSC would like to submit to the Legislature. Based on discussions with management, AD Gogue advised the board that we are seeking to request for a \$4.9 Million budget which includes organic growth for the corporation and an incremental increase for the Civil Division. For the Civil Division, we are requesting for an Attorney 4, Paralegal 1, Legal Secretary 1, an Investigator 1 and a Program Coordinator 3. As for the PDSC, we are seeking to bring two (2) additional employees – a Paralegal 2 and an Administrative Assistant.

Chief Justice Torres recommended that for the Civil Division, that the associated budget be separated out from the overall budget so that it would be easier for the Legislature to focus on PD's organic growth – which is mandated increases that we need to provide for personnel as well as the two (2) new employees. In separating out the Civil Division, this will prevent any issues the Legislature may have relative to the overall increase in the FY2017 budget. Additionally, there is a better chance at getting what we are asking for pre-civil division.

Chief Justice Torres also mentioned that we do not want to confuse the Legislature because doing so would make them look at the budget differently. Chief Justice Torres added that we can make our strongest case statutorily, and show the increase need for civil *Gideon* and the number of

indigent people living who work and are living on Guam. What we don't want is for the Legislature not to give everything we want in FY2017, and still require us to do the work required for the Civil Division without the personnel. AD Cathy informs that in the budget it asks for an Attorney IV and a paralegal for the civil division as well as the PDSC.

Administrative Director Gogue advised the board that we'll separate the Civil Division and have two (2) separate budgets at Wednesday's roundtable discussion that is set for 3:00P.M. on June 25<sup>th</sup>. Chief Justice Torres inquired if the \$600,000 increase in the budget is attributed to just the Civil Division. AD Gogue apprised the board that approximately \$300,000 is for organic growth and the two (2) positions (Administrative Assistant and Paralegal 2) that we're requesting for with the Criminal Division. The balance of the increase is for the Civil Division and the five (5) new positions we are requesting for to allow the Civil Division to operate efficiently. Additionally, we included Merit Bonuses according to Statute 6203. In the past, we weren't including Merit Bonuses; however, in speaking with Judiciary's HR, we were advised that by statute Judiciary budgets for such increases in fiscal year budgets. PDSC also included a Program Coordinator which is for a Grant Writer with proven skills to successfully obtain grants for PD. In the past two (2) years, we have had a part-time grantor who has been pretty ineffective in obtaining any grant funding for the organization. In essence, we got what we paid for – which was virtually nothing.

Executive Director Stephen Hattori advised the board that the Program Coordinator is not just for the Civil Division but in fact, is for the PDSC. The Grant Writer was never under the Civil Division, it was always under the Administration's section. AD Gogue added that the Paralegal I for the Civil Division and Paralegal II for the PDSC is based on the requirements of the attorneys. Referring back to organic growth, the retirement and other employee benefits were calculated based on the number of staff we currently have and what we project to have in FY2017.

Chief Justice Torres suggested that we change out the word "vacancy" to "in recruitment" so it does not seem like they were positions that were not needed and are just being filled now. In doing so, it will show that only two positions were created, the Paralegal II and the Program Coordinator. Chief Justice Torres reminded that we should separate the other positions for the overall budget for the Civil Division in order for the addition request for the Civil Division not to influence the overall budget. Let the Civil Division rise and fall on its own. While retirement benefits correspond with personnel; Chief Justice Torres asked how much of the salaries are for the Civil Division and how much is for the other two positions. CFO Moreno responded that the Civil position salaries is \$215.000.00

Chief Justice Torres reiterated that although we are asking for a small increase in the overall budget, we need to show that asking for an eight percent increase includes the Civil Division and the Legislature will have to decide whether it is important to fund a Civil Division or not. We need to make a strong argument as to why it is important and that should the Civil Division not be funded that this amount will not influence the overall increase. We have to show that we are asking for an eight percent increase to include the Civil Division by statutory authority that we have not funded for years. Additionally, we have to advise the Legislature that we have a solution to prevent conflicts and have stats to show the number of people living in poverty who need access to legal services. Also, we need to demonstrate what we are doing is start the Civil Division incrementally by hiring one attorney and one paralegal. Based on the small amount we are asking for with the Civil Division, the community will gain a lot more from the services we are able to provide for the small amount of money we will put into the Civil Division.

CFO Moreno added that the total cost for the Civil Division is \$230,000.00.

AD Gogue advised the board that for personnel and correlating benefit packages for PDSC as well as the Civil Division, we are requesting for an increase of \$551,564.00. Chief Justice Torres mentioned that some of the proposed increase includes organic growth even with two new positions, the retirement benefits, merit bonus, night differential and reclassification, those items are mandated to be paid and that PD isn't doing anything different. You want to show organic growth and its increase, the increase for the new positions and the increase for the Civil Division.

AD Gogue went on to mention that in terms of operations, it would only be funding annual contracts, which aren't too many, and the Civil Division, which she confirms will be separated out.

Chief Justice Torres asked how much of an increase from last year for contractual obligations. CFO Moreno stated \$6,000.00 for current operations and for Civil Division, contractual cost will be \$4,000.00, a \$2,000.00 increase from last year. To recap, we are looking to increase and fund two new positions for PDSC and then the Civil Division. You need to summarize and be careful how you summarize to show the increase in pay, two new positions plus the Civil Division.

GBA President Jehan Martinez asked about the utilities and if the decrease of \$16,812 is a result of the contract for telephone system. MIS Administrator Julito Tingson mentioned that we are no longer under a contact but we have a maintenance agreement that was included in the contract. Therefore, for FY2017, we no longer need to include this amount for telephone services. It was taken care on during the current fiscal year.

Chief Justice Torres requested that we summarize the budget, mention that the FY2016 budget we requested for \$4.5 million and for FY2017 we are requesting for \$4.6 million; which will include the Civil Division and two new positions.

AD Gogue concluded by advising the board that with the resignation of several Attorney IVs, we were able to restructure the organization to include the conversion of an AHRD employee, who is also certified as a DISID employee, as a Clerk I for our records section. We have added this conversion as one of our highlights since there are not too many GovGuam departments or agencies adhering to the 2% law that requires hiring DISID certified clients.

There being no further questions or concerns regarding the Public Defender Service Corporation's FY2017 budget, motion was made and seconded to approve PD's FY2017 budget in the amount of \$4.9 million dollars. Approved by acclamation.

Resolution No. 21-16

### VIII. <u>PUBLIC DISCUSSION</u>: None.

IX. <u>ADJOURNMENT AND NEXT MEETING DATE</u>: The next regularly scheduled board meeting will be on Tuesday, July 19, at 12:30PM in the Public Defender Service Corporation Conference Room.

There being no further business to discuss, the meeting adjourned at June 21, 2106 at 12:30pm.

Respectfully submitted,

CATHY GOGUE

Secretary



### PUBLIC DEFENDER SERVICE CORPORATION

(Kotperasion Setbision Defensot Pupbleku)
GOVERNMENT OF GUAM

779 Route 4 Sinajåña, Guam 96910-5174 Tel: (671) 475-3100 ◆Fax: (671) 477-5844



#### **BOARD OF TRUSTEES**

Hon. Robert J. Torres, Jr. Chairman

Hon. Alberto C, Lamorena, III Vice-Chalrman

Atty. Jehan'ad G. Martinez Member

Atty. Donna Cruz Member

Mrs. Annette Ada Member

### **ADMINISTRATION**

Stephen P. Hattori Executive Director

Richard S. Dirkx Deputy Director

Cathyann C. Gogue Administrative Director

### BEFORE THE BOARD OF TRUSTEES OF THE

### PUBLIC DEFENDER SERVICE CORPORATION RELATIVE TO THE APPROVAL OF THE PDSC FISCAL YEAR 2017 BUDGET REQUEST

### **RESOLUTION NO. PDSC 21-16**

WHEREAS, Chapter 11 of Title 12 Guam Code Annotated established the Public

Defender Service Corporation (PDSC) in order to provide effective legal aid and assistance to individuals on Guam who are unable to afford

counsel; and

WHEREAS, in order to fulfill the mandates of Chapter 11, Title 12 Guam Code

Annotated, the PDSC requires legislative appropriations through the

budgetary process established for each fiscal year; and

WHEREAS, the PDSC has, through its Executive Director and Administrative Director,

presented the Corporation's Fiscal Year 2017 Budget Request of

\$4,941,117.00 to the Board of Trustees on May 17, 2016; and

WHEREAS, the Board of Trustees finds this budget request appropriate and adequate

to carry out the Corporation's mission and vision in Fiscal Year 2017; now

therefore be it

**RESOLVED,** the Board of Trustees of the Public Defender Service Corporation, at its

meeting of May 17, 2016 hereby approves the PDSC Fiscal Year 2017 Budget Request of \$4,941,117.00 with all its provisions contained therein

being attached hereto and made a part of this resolution.

DULY AND REGULARLY ADOPTED THIS 17th day of May, 2016.

Chief Justice ROBERT J. TORRES, JR.

Chairman \

ATTEST:

CATHY GOODUE

Secretary

## New Business Agenda Item VII-A

Above Step Recruitment
Attorney Level 3
Haig T. Huyhn, Esq.

# EXECUTIVE DIRECTOR Stephen P. Hattori TOTAL DEPT VINCTION DEPUTY DIRECTOR Richard S. Dirkx ADMINISTRATIVE DIRECTOR Cathyann C. Gogue

## PUBLIC DEFENDER SERVICE CORPORATION (Kotperasion Setbision Defensot Pupbleku)

### **GOVERNMENT OF GUAM**

779 Route 4 Sinajåña, Guam 96910 Tel: (671) 475-3100 ◆Fax: (671) 477-5844 STAFF ATTORNEYS
Pablo M Aglubat
Jocelyn M. Roden
Peter J. Sablan
All N. Nusbaum
Suresh Sampath
Brian E. Kegerreis
William B. Jones
J. Robert Mortland, Ill
Kristine B. Borja
Amber J. Robinson
William C. Bischoff
Alisha L. Molyneux

July 12, 2016

### **MEMORANDUM**

TO: Board of Trustees

FROM: Executive Director

SUBJECT: Request for Recruitment Above-Step

RE: Haig T. Huynh, Esq.

Håfa Ådai. This memorandum is to respectfully request for the Recruitment Above-Step for the abovementioned attorney.

Pursuant to Title 4 Guam Code Annotated, Chapter 6 §6205 Recruitment Above-Step, initial employment in any department or agency shall be at Step 1 of the assigned Pay Grade. However, the Executive Director of the Public Defender Service Corporation (PDSC) may petition our governing board to recruit at a higher step due to recruitment difficulty or exceptional qualifications.

The PDSC has been experiencing a high turnover of attorneys either through retirement, resignation or transfers to the Attorney General's Office. Recruiting attorneys at Level 3 and 4 has been a challenge due to the starting salaries of each level respectively. The Recruitment Above-Step would allow our office the ability to hire the newly incoming attorneys above Step 1 in the Attorney Level 3 and 4 Pay Plan.

Based on the above request, the PDSC has selected Haig T. Huynh, Esq. for the Attorney Level 3 position and would like to offer him Step 6 at \$82,783 per annum. Attorney Huynh has a total of 4 years and 7 months of attorney experience as Assistant County Attorney for Dakota County as well as Olmsted County in litigation and investigation for civil cases, criminal cases and cases brought before the Supreme Court for appeals. His caseload consisted mainly of felony crimes, but was responsible for forfeiture and vulnerable adult matters, to include representing various county agencies in civil matters. Attorney Huynh has successfully represented over 40 criminal cases and over 40 appeals. In addition, Attorney Huynh provided supervision over less experienced attorneys.

# Stephen P. Hattorl Stephen P. Hattorl The Corpolation DEPUTY DIRECTOR Richard S. Dirixx ADMINISTRATIVE DIRECTOR Cathyann C. Gogue

### PUBLIC DEFENDER SERVICE CORPORATION

(Kotperasion Setbision Defensot Pupbleku)

#### **GOVERNMENT OF GUAM**

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William C. Bischoff
Alisha L. Molyneux

July 12, 2016

### **MEDIAL RELEASE**

TO:

All Media

FROM:

**Executive Director** 

SUBJECT:

**Public Announcement** 

**RE: Recruitment Above-Step** 

### **PUBLIC ANNOUNCEMENT**

### **Notice of Recruitment Above-Step**

Pursuant to Title 4 Guam Code Annotated, Chapter 6 §6205, Recruitment Above-Step, the Public Defender Service Corporation (PDSC) notifies the general public that Haig T. Huynh, Esq. has been recommended to fill the vacancy of Attorney Level 3 under Job Announcement JA-12-16, which was opened from May 13, 2016 as Continuous. The PDSC has submitted a Request for Recruitment Above-Step to the PDSC Board of Trustees to hire Attorney Huynh at Level 3 Step 6, at an annual salary of \$82,783. The Board of Trustees has the final approval or rejection authority of all Recruitment Above-Step requests. The Request for Recruitment Above-Step can be viewed on the PDSC website at <a href="https://www.guampdsc.net">www.guampdsc.net</a>.

Should you have any questions or require additional information, please contact our Human Resources at 300-7823 or email <a href="mailto:blizama@guampdsc.net">blizama@guampdsc.net</a>. Dångkolo na Agradesimento.

STEPHEN P. HATTORI

## New Business Agenda Item VII-B

Retro Pay Reconstruction for Attorney Brian E. Kegerreis

## Brian E. Kegerreis Reconstruction Write-Up

### 01/26/14 - Transition CWA 2014 - Attorney Level 1 Step 1 @ \$50,825 P/A

- Pursuant to CWA 2014 & PL 32-181 slot Attorneys into new pay plan at the step in the grade assignment closest to and not less than their current rate of pay.
- A reclassification review shall be conducted to properly classify incumbent attorneys.
  - ▶ PD-149-14 01/26/14 Transition CWA
    - Attorney Level 1 Step 1 @ \$50,825 p/a

### 01/27/14 - Reclassification-Promotion - Attorney Level 2 Step 1 @ \$57,375 P/A

- Attorney Level 2 requires over 2 years less than 4 years of attorney experience
- Incumbent has 3 years 2 months of attorney experience
  - ▶ PD-73-16 01/27/14 Reclassification-Promotion
    - Attorney Level 2 Step 1 @ \$57,375 p/a

### 01/27/15 - Salary Increment - Attorney 2 Step 2 @ \$59,426 P/A

- Evaluation period 01/27/14 01/27/15
- Satisfactory rating
  - > PD-74-16 01/27/15 Salary Increment
    - Attorney Level 2 Step 2 @ \$59,426 p/a

### 01/27/16 - Salary Increment - Attorney 2 Step 3 @ \$61,550 P/A

- Evaluation period 01/27/15 01/27/16
- Satisfactory rating
  - > PD-75-16 01/27/16 Salary Increment
    - Attorney Level 2 Step 3 @ \$61,550 p/a

### 06/22/16 - Reclassification-Promotion - Attorney Level 3 Step 2 @ \$68,981 P/A

- Attorney Level 3 requires 4 years less than 8 years of attorney experience
- Incumbent has 5 years 4 months of attorney experience
  - ▶ PD-76-16 06/22/16 Reclassification-Promotion
    - Attorney Level 3 Step 2 @ \$68,981 p/a

### Estimated Reconstruction Retro Payment is \$20,522.69

- To be paid out of FY2016 is \$4,975.25
- Prior year obligation is \$15,547.44

EXECUTIVE DIRECTOR
Stephen P. Hattori

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## PUBLIC DEFENDER SERVICE CORPORATION (Kotperasion Setbision Defensot Pupbleku)

### **GOVERNMENT OF GUAM**

779 Route 4 Sinajåña, Guam 96910 Tel: (671) 475-3100 ◆Fax: (671) 477-5844 STAFF ATTORNEYS
Pablo M Aglubat
Jocelyn M. Roden
Peter J. Sablan
All N. Nusbaum
Suresh Sampath
Brian E. Kegerrels
William B. Jones
J. Robert Mortland, Ill
Kristine B. Borja
Amber J. Robinson
William C. Bischoff
Alisha L. Molyneux

June 22, 2016

### **MEMORANDUM**

TO:

Brian E. Kegerreis, Attorney Level 1

VIA:

**Executive Director** 

FROM:

Administrative Director

SUBJECT:

**Reclassification Promotion** 

RE: Attorney Level 2 and Level 3

Håfa Ådai. The Competitive Wage Act of 2014 (CWA 2014) was implemented effective January 26, 2014. Based on the CWA 2014 Policies and Procedures, you were slotted to Attorney Level 1 Step 1 at \$50,825 per annum. The CWA 2014 Policies and Procedures also requires that a reclassification review be conducted to properly classify incumbent attorneys. In addition to the CWA 2014 reclassification, the Executive Director had requested on March 21, 2016 another reclassification audit be conducted relative to the work you performed. Consequently, a thorough review was conducted on the documents you submitted and the findings are as follows:

- Represent clients charged with either misdemeanor or felony crimes.
- Meet and interview clients to discuss case.
- Interview possible witnesses.
- Develop legal strategy for cases.
- Prepare for and conduct jury selection and trial.
- Mentor Attorney Level 1, which includes shadowing at court hearings or trials.
- Total number of cases represented is 769; which were Criminal Appeals (1), Special Proceedings Extradition (1), Felony (123), Citation to Appear (2), Misdemeanor (494), and Juvenile (148).

The Attorney Level 2 position requires over two years and less than four years of progressively responsible experience as a licensed attorney. Based on the above findings, as of January 27, 2014 you had a total of 3 years and 2 months of creditable experience as a licensed attorney and that you were performing the duties and responsibilities of an Attorney Level 2. Therefore, reclassification to Attorney Level 2 shall be effective on January 27, 2014 based on the CWA 2014 reclassification requirement.

The Attorney Level 3 position requires four years and less than eight years of progressively responsible experience as a licensed attorney. Based on the above findings, as of March 21, 2016 you had a total of 5 years and 4 months of creditable experience as a licensed attorney and that you are performing the duties and responsibilities of an Attorney Level 3. Reclassification to Attorney Level 3 shall be effective no earlier than the date of this memorandum.

A reconstruction of your personnel actions was conducted to ensure that all actions processed are proper. The findings of this review is as follows:

Nature of Action	Effective Date	From	ere personale est To estado estados.	Comments
Pay Adjustment (PD-81-14)	06/20/14	Attorney I Step 3 \$45,396 pa	Attorney II Step 1 \$47,008 pa	This action must be cancelled in its entirety.
CWA 2014 Implementation (PD-149-14)	01/26/14	Attorney   Step 3 \$45,396 pa	Attorney Level 1 Step 1 \$50,825 pa	This action is proper.
Reclassification – Promotion	01/27/14	Attorney Level 1 Step 1 \$50,825 pa	Attorney Level 2 Step 1 \$57,375 pa	This action is to be processed.
Salary Increment	01/27/15	Attorney Level 2 Step 1 \$57,375 pa	Attorney Level 2 Step 2 \$59,426 pa	This action is to be processed.
Salary Increment	01/27/16	Attorney Level 2 Step 2 \$59,426 pa	Attorney Level 2 Step 3 \$61,550	This action is to be processed.
Reclassification – Promotion	06/22/16	Attorney Level 2 Step 3 \$61,550	Attorney Level 3 Step 2 \$68,981	This action is to be processed.

The CWA 2014 implemented a salary increment schedule for attorneys based on a <u>satisfactory or outstanding performance</u> as follows:

- Steps 1 through 7 is every 12 months
- Steps 7 through 9 is every 18 months
- Steps 10 and above is every 24 months (a 3.1% pay adjustment will be added beyond Step 10)

Your next salary increment to Attorney Level 3 Step 3 at \$71,446 per annum will be on June 22, 2017, which is 12 months after reclassification promotion became effective. However, your immediate supervisor must conduct a performance evaluation of satisfactory or outstanding to effectuate your salary increment.

Should you have any questions or require additional information, please contact our Human Resources at 300-7823 or email <u>blizama@guampdsc.net</u>. *Dångkolo na Agradesimento*.

CATHYANN C. GOGUE

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Brian E. Kegerreis			SALARY	\$40,352.00	\$40,352.00	\$42,874.00	\$45,396.00	\$47,008.00	\$50,825.00													
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			POSITION TITLE	Attorney I	Attorney I	Attorney I	Attorney I	Attorney II	Attorney Level 1													

**Brian Kegerreis** 

		DA	DATES	2	Work			FROM				10				
POSITION TITLE	NATURE OF ACTION	FROM	10	OF DAYS		PAY GRADE	STEP	SALARY	HRLY RATE	PAY GRADE	STEP	SALARY	HRLY RATE	RATE	AMOUNT OWE	COMMENTS
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		06/20/14	06/28/14	ယ	48	<b>Z</b>	က	\$45,396.00	\$21.83	Z	9	\$47,008.00	\$22.60	\$0,77	\$36.96	\$36.96 This was paid out on PPE 07/12/14
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Attorney II	Cancel Pay Adjust															
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		06/29/14	09/19/14	90	480	All	_	\$47,008.00	\$22.60	AL2	-	\$57,375.00	\$27.58	\$4.98	\$2,390.40	\$2,390.40 Prior year obligation
		41/02/60	01/26/15	16	728	AL1	-	\$50,825.00	\$24.44	AL2	+	\$57,375.00	\$27.58	\$3.14	\$2,285.92	\$2,285.92 Prior year obligation
Attorney Level 2 Salary Increment	Salary Increment	01/27/15	01/27/15 09/30/15	111	1416	AL1	-	\$50,825.00	\$24.44	AL2	7	\$59,426.00	\$28.57	\$4.13	\$5,848.08	\$5,848.08 Prior year obligation
		10/01/15	01/26/16	84	672	AL1	-	\$50,825.00	\$24.44	AL2	7	\$59,426.00	\$28.57	\$4.13	\$2,775.36 FY 2016	FY 2016
Attorney Level 2	Salary Increment	01/27/16	06/21/16	105	840	AL1	-	\$50,825.00	\$24.44	AL2	က	\$61,550.00	\$29.59	\$5.15	\$4,326.00 FY 2016	FY 2016
Attorney Level 3	Reclass -															
	Promotion	06/22/16	06/25/16	က	24	AL1	-	\$50,825.00	\$24.44	AL3	2	\$68,981.00	\$33.16	\$8.72	\$209.28	\$209.28 FY 2016
	2015 Palau															
	Symposium														-\$2,335.39	

\$15,547.44 PRIOR YEAR OBLIGATION \$4,975.25 FY 2016

\$20,522.69 GRAND TOTAL

ANNOUNCEMENT TYPE	APPLICANT SS#
Attorney I	Brian E. Kegerreis
POSITION TITLE:	APPLICANT NAME:

APPLICANT NAME:	В	Brian E. Kegerreis	erreis	
			٠	
	GENERAL	SPECIAL	SENERAL SPECIAL SUPERVISORY	
POSITION REQUIRED EXPERIENCE	151			APPLIC
POSITION REQUIRED EDUCATION	-	72.00		APPLIC
TOTAL POSITION REQUIRED PTS.	0.00	72.00	0.00	

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DATE	6/21/2016

## New Business Agenda Item VII-C

**Internship Stipend** 

### **Law Students Internship Stipend**

The Public Defender Service Corporation would like to design a program that will give law students not just an understanding of the criminal justice system, but hands-on experience with representing clients. The interns who are selected will be assigned to work with a staff attorney, write motions, meet clients, review investigation results and attend meetings with witnesses/experts.

In developing this program, we would like to offer a maximum stipend of \$3,600 for a maximum of six weeks or \$15 an hour for 40 hours a week. We are hoping to attract law students who are:

- Committed to indigent criminal defense
- Interest in criminal law or who view being a criminal defense attorney as a possible career choice.
- Have a passion for working for the underprivileged, the marginalized, and the underserved.

While we have had interns in the past, we have not kept for a significant amount of time due to their need to find employment that pays. We believe that by providing a stipend, we will be able to attract students with strong written and oral communication skills – who are willing to think like advocates and fight for our clients.

## New Business Agenda Item VII-D

**PDSC Office Space Lease** 

### PUBLIC DEFENDER SERVICE CORPORATION

Government of Guam 110 W. O'Brien Drive Hagåtña, Guam 96910 (671) 475-3100

### REGISTER OF PROPOSALS RFP No. FY2016-01 (Lease of Office Space)

	NAME and ADDRESS OF OFFEROR:	NUMBER OF MODIFICATIONS RECEIVED (if applicable):	BRIEF DESCRIPTION OF SERVICES OFFERED:
V	M.V.P. Ent P.O. BOX DV		Request for Proposal
-	Hagatna, Guam 96932		,
/	G.C.I.C. 414 West Solected Avenue		kequed for proposal for office space.
	Hagatra GU aya10		
	ADA'S TRUST & PWESTMENT POB 2889 HABATNA 96932		RFP OFFICE SPACE
	Fyrta Property Gam, Inc. Po By 8674 Tamering, CU 96931		RPP office Space
	TAXIOTA PARTNERS 667 N. MARINE DR#201 TAMUNING, GUAM, 96913		AFP for office Space

### **BID OPENING PROCESS**

for

### **INVITATION FOR BID NO. PDSC FY160001**

Office Space Lease/Rental Friday, July 15, 2016 Time: 2:00PM

- I. INTRODUCTION OF WITNESSES/REVIEW COMMITTEE
- II. HAVE WITNESSES COMPLETE WITNESS LIST
- III. INTRODUCTION OF BIDDERS
- IV. ANNOUNCE ALL BIDS RECEIVED (Name of bidder, date and time bid was received, and PRICE)
- V. BIDDERS TO SEPARATE "Proprietary Information/Trade Secrets" BEFORE Public Inspection.

Non-Confidential Information includes: Prices, makes, models or catalogue numbers of the items offered, deliveries and terms of payment.

### Bids Received:

Guam Capital Investment Corp. (GCIC)

Per Month: \$28,058.00 Yearly: \$336,691

**MVP** Enterprise

Per Month: \$22,800 Yearly: \$273,600

Current Contract with MVP Enterprise: \$25,000 per month

Yearly Contract with MVP = \$300,000

(Yearly Savings with New Contract = \$26,400)

### PUBLIC DEFENDER SERVICE CORPORATION 779 Route 4 Sinajana, Guam 96910

RFP No. FY2016-01

### RECORD OF PROSPECTIVE VENDORS WHO ATTENDED THE PRE-PROPOSAL CONFERENCE on July 15, 2016 (2:00PM)

### PLEASE PRINT and/or SIGN CLEARLY AND LEGIBLY:

Date:	Name of Company:	Name & Signature of Person Attending:	Contact Number(s):
7/15	Marciano V. Pangilinan	Mark C. Pangilinan	777- 2237
1710	_	Mark C. Pauge	
July 15,2016	Guari Capital Investment corporation (GCIC)		
	7,410		A second
			-

SEALED BIDS' OPENING DATE: Juy 15, 2014

### IN THE PRESENCE OF:

- Mark C. Pangelinan (Marciano V. Pangelinan)

AND IN THE FOLLOWING ORDER (without reference to any ranking of offerors):

- 1. CATHYANN C. GOGUE
- 2. CECGLIA M. FERNANDEZ
- 3. JOYCE M. TRECEPONA 4. KENNETH A. LIM
- 5. ELEANOR A. QUENGA-RIOS
- 6. STEPHEN P. HATTORI

ATTEST:

### EVALUATION OF PROPOSAL RFP No. FY2016-01 (Lease of Office Space)

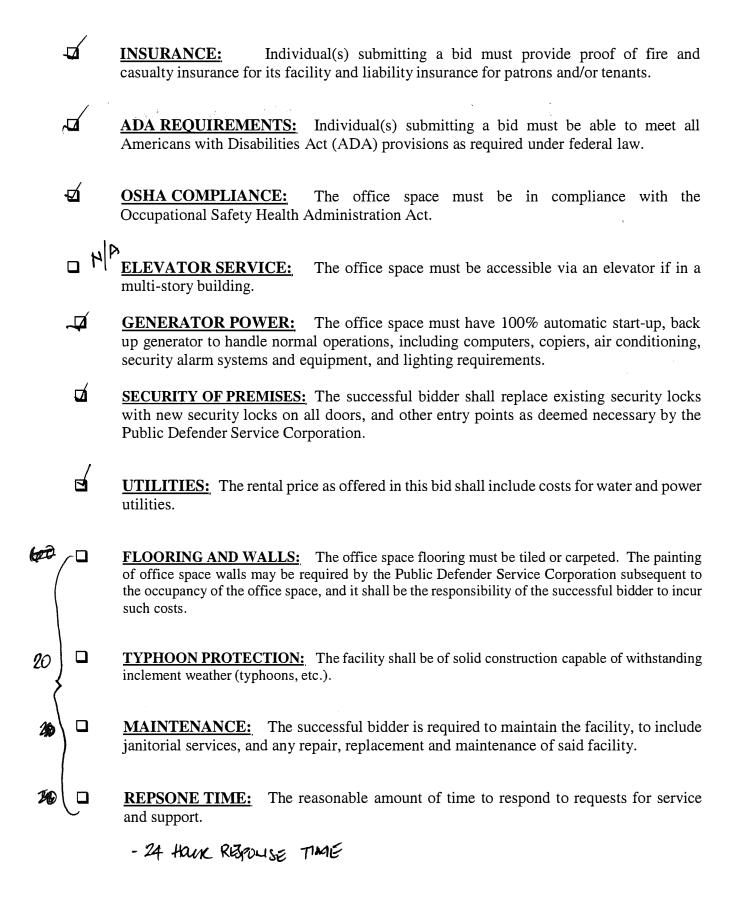
(MURCIAND V. HONGILINAN) MV PANGILINAN Company Name: **GOVERNMENT FORMS:** 10 ✓ Affidavit Disclosing Ownership & Commissions Affidavit re. Contigent Fees ✓ Affidavit of Non-collusion ✓ Affidavit re. No Gratuities or Kickbacks Affidavit re. Ethical Standards Affidavit re. Compliance with U.S. DOL Wage Determination **RENOVATIONS:** All renovations required to meet specifications as listed shall be the responsibility of the successful bidder. AIR-CONDITIONING: Total office space must have a reliable and working airconditioning system to cool at a comfortable temperature as deemed adequate by the Public Defender Service Corporation. **SQUARE FOOTAGE:** Office space must be at least 12,000 square feet, and not to exceed 12,500 square feet of total office space. ઇ FACILITY: Must include spatial accommodations for fifty (50) full-time employees, with a minimum of twenty-five (25) partitioned/private offices, one (1) reception/waiting area, one (1) records/files/reference resources room, one (1) conference/meeting room, one (1) employee lounge/break room, access to separate toilet and hand wash facilities, equipped with a soap dispenser and sanitary towel dispenser for each sex.

A minimum of sixteen (16) reserved, paved parking spaces

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PARKING SPACES:

is required.



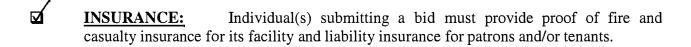
15 0	<u>CENTRAL LOCATION:</u> Office space must within close proximity (walking dista preferred), to the Guam Judicial Center at 120 West O'Brien Drive, Hagåtña, Guam.		
5 🗖	OPTIONS FOR RENEWAL: available funds.	Options for renewal of a lease agreement subject to	

TOTAL: 100

Annual Cost: \$ 273, 600.00

### EVALUATION OF PROPOSAL RFP No. FY2016-01 (Lease of Office Space)

Comp	any Name: G.C.J.C.			
_	GOVERNMENT FORMS:			
	✓ Affidavit Disclosing Ownership & Commissions			
	✓ Affidavit re. Contigent Fees			
	✓ Affidavit of Non-collusion			
	✓ Affidavit re. No Gratuities or Kickbacks			
	✓ Affidavit re. Ethical Standards			
	✓ Affidavit re. Compliance with U.S. DOL Wage Determination			
	<b>RENOVATIONS:</b> All renovations required to meet specifications as listed shall be the responsibility of the successful bidder.			
<b>\</b>	<u>AIR-CONDITIONING:</u> Total office space must have a reliable and working air-conditioning system to cool at a comfortable temperature as deemed adequate by the Public Defender Service Corporation.			
<b></b>	<b>SQUARE FOOTAGE:</b> Office space must be at least 12,000 square feet, and not to exceed 12,500 square feet of total office space.			
	<b>FACILITY:</b> Must include spatial accommodations for fifty (50) full-time employees, with a minimum of twenty-five (25) partitioned/private offices, one (1) reception/waiting area, one (1) records/files/reference resources room, one (1) conference/meeting room, one (1) employee lounge/break room, access to separate toilet and hand wash facilities, equipped with a soap dispenser and sanitary towel dispenser for each sex.			
<b>प</b>	PARKING SPACES: is required.  A minimum of sixteen (16) reserved, paved parking spaces  20 Parking Eserved			



- ADA REQUIREMENTS: Individual(s) submitting a bid must be able to meet all Americans with Disabilities Act (ADA) provisions as required under federal law.
- OSHA COMPLIANCE: The office space must be in compliance with the Occupational Safety Health Administration Act.
- **ELEVATOR SERVICE:** The office space must be accessible via an elevator if in a multi-story building.
- **GENERATOR POWER:** The office space must have 100% automatic start-up, back up generator to handle normal operations, including computers, copiers, air conditioning, security alarm systems and equipment, and lighting requirements.
- SECURITY OF PREMISES: The successful bidder shall replace existing security locks with new security locks on all doors, and other entry points as deemed necessary by the Public Defender Service Corporation.
- <u>UTILITIES:</u> The rental price as offered in this bid shall include costs for water and power utilities.
- FLOORING AND WALLS: The office space flooring must be tiled or carpeted. The painting of office space walls may be required by the Public Defender Service Corporation subsequent to the occupancy of the office space, and it shall be the responsibility of the successful bidder to incur such costs.
- TYPHOON PROTECTION: The facility shall be of solid construction capable of withstanding inclement weather (typhoons, etc.).
- MAINTENANCE: The successful bidder is required to maintain the facility, to include janitorial services, and any repair, replacement and maintenance of said facility.
- **REPSONE TIME:** The reasonable amount of time to respond to requests for service and support.

**CENTRAL LOCATION:** Office space must within close proximity (walking distance preferred), to the Guam Judicial Center at 120 West O'Brien Drive, Hagåtña, Guam.



OPTIONS FOR RENEWAL: -5 Options for renewal of a lease agreement subject to available funds.

Monthly Cost:

Annual Cost:

\$ <u>336,691.00</u>

## New Business Agenda Item VII-E

## Advanced Interview & Interrogation



## Price: \$550/person Quantity discounts (10% off for 5 or more attendees) will be applied at checkout.

The Criminal Interview & Interrogation Seminar is a prerequisite for attendance in the Advanced Workshop. If you have not yet attended the prerequisite class, please click <u>here</u> to find a seminar in your area.

## Tumon Bay, Guam Advanced Criminal Interview & Interrogation Techniques

Thursday, August 04, 2016 8:00 AM - 4:00 PM (Central Time)

### Hilton Resort Guam

202 Hilton Road Tumon Bay, Guam 96913 Guam

Phone: 630-852-6800 Email Us

View Your Existing Registration

Start Your Registration			
<ul><li>Email Address:</li><li>Verify Email Address:</li></ul>			
* Select registrant type (If your Department/Agency is not listed, choose Attendee):	Attendee	<b>V</b>	
			You can also register a group. <u>Learn More</u> <u>Group Discounts Are Available</u>

### Description

Advance your Criminal Interview and Interrogation Skills. This one day workshop provides an environment where participants can practice and apply the skills they learned during our Criminal Interview and Interrogation course.

This course focuses on practical application and underlying theory. Investigators will gain skills through experience that they can immediately take back and use.

### Pre-requisite

Attendees must have successfully completed the Criminal Interview and Interrogation course or other formal Interview & Interrogation Training.

### Who should attend:

Law enforcement and child protective services personnel who want to build on the basics and enhance their ability to obtain detailed and timely information.

What you'll learn:

Based on the needs and experience of the participants, the following are some of the areas that may be covered:

- Advanced techniques that build on skills and strategies
- •Practice and development of those skills through role playing
- •Interactive workshop deals with profiling for interrogation through case studies
- Causes of denials
- Development of the admission

Please enter the ATTENDEE's Email Address.

If you are not the attendee, you will enter your Email Address on the next screen.

## CONFIRMATIONS WILL BE EMAILED TO THE ATTENDEE AND THE CONTACT ENTERING THE REGISTRATION IF "ON BEHALF OF" FIELDS ON NEXT SCREEN ARE FILLED IN.

Event HomeEvent Contact Information

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### PDSC / APD BUDGET FROM LAPSED FUNDS, AUGUST 4 - 6, 2016 (8:00AM - 5:00PM)

\$1,050 per Investigator X 5 PDSC Investigators = \$5,250 \$1,050 per Investigator X 2 PDSC Investigators = \$2,100



## Advanced Interview & Interrogation

Obtain training in the latest, and most effective, advanced interview & interrogation techniques in **The WZ Advanced Workshop on Interview & Interrogation.** This interactive workshop reviews multiple methods including Fact Gathering, Cognitive, Positive Confrontation and the WZ Non-Confrontational Method. The program features practical exercises, proven techniques and psychological principles to enhance your ability to obtain legally acceptable confessions.

This comprehensive course teaches a broad range of proven advanced techniques to help you get to the truth and obtain quicker admissions and close more successful cases.

### **SEMINAR TOPICS INCLUDE:**

False Confessions
Room Setting and Audio/Visual Considerations
Interpretation of Physical and Verbal Behavior
Conducting the Interviewing
Fact Gathering Interview
Cognitive Interview
Causes of Denial
Establishing Credibility and Accusations
The Positive Confrontation
THE WZ NON-CONFRONTATIONAL METHOD
Enticement Questions
Factual Accusations
Statements

This two-day **WZ** Advanced Workshop on Interview & Interrogation was developed and is conducted by Wicklander-Zulawski & Associates, Inc. A one-day condensed version of this program is also available when added to the three-day WZ Criminal Interview & Interrogation Seminar. To participate in the Advanced Workshop, an individual must have previously attended the **WZ** Seminar on Criminal Interview & Interrogation, or other formal interview and interrogation training.

For Illinois law enforcement officers who are certified as "Lead Homicide Investigators", the subject matter of this course falls within the key guidelines for the in-service training requirements for re-certification.

**ALL** WZ instructors are Certified Forensic Interviewers (CFI®) and have extensive practical experience in the field. WZ instructors teach the same up-to-date skills and methods they have used during their own investigations.

