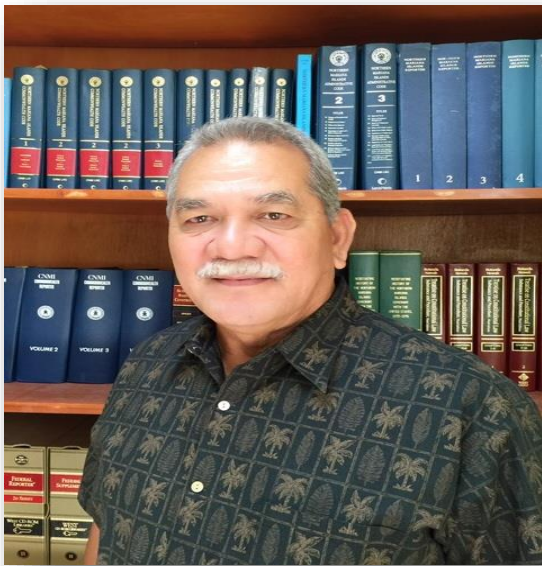




**OFFICE OF THE ATTORNEY GENERAL**

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

**Calendar Year 2015 Report**



*Edward Manibusan*  
**CNMI Attorney General**

Hafa Adai, Tirow, and Welcome. As the CNMI’s first Elected Attorney General, I would like to present the first annual report to the community of my first year in office. This report is intended to have an open and transparent organization tasked as the Commonwealth’s Chief Legal Officer. This report includes information on the re-structuring of divisions and personnel, as well as statistics on activities and cases.

The Office of the Attorney General provides legal counsel and representation to Commonwealth government and its agencies in many issues vital to the people’s interest. These issues include the protection of children from abuse and neglect, preservation of the environment, protecting the Commonwealth’s financial assets, the protection of consumers, and public safety.

The OAG welcomes your ideas on ways that we can serve you and the community.

**THE OFFICE AT A GLANCE**

The CNMI Office of the Attorney General is:

- The Chief Legal Officer for the Commonwealth of the Northern Mariana Islands
- Represents Executive Departments, Autonomous Agencies, and Public Corporations
- Takes Legal Action on behalf of its citizens
- Prosecutes violations of law

There are six (6) divisions within the OAG, including:

- Civil Division
- Criminal Division
- Solicitor’s Division
- Consumer Protection
- Administrative Services Division
- Criminal Investigation Division

**GOALS**

- Ensure the safety and security of the people of the Commonwealth
- Work in partnership with the Executive Branch, Legislature, Courts, Law Enforcement Agencies such as Customs, Police, Fish & Wildlife, Probation, Parole, and Federal counterparts
- Increase enforcement of consumer protection laws
- Combat challenges of graft and corruption, domestic violence, child abuse and neglect, drugs and violent crimes
- Build and improve relationships, discuss issues relating to enforcement of laws and to promote training so that all can properly and legally do their jobs
- Ensure criminal cases are thoroughly investigated and reviewed before charges are filed

## CIVIL DIVISION

The Civil Division provides legal services on all civil litigation cases involving the Commonwealth government and Executive Branch agencies. The division is responsible for a wide range of cases, including the following most notable:

- **Emergency Management.** In the wake of Typhoon Soudelor, the Attorney General:
  - Provided around-the-clock legal services to Homeland Security and Emergency Management Administration at the Emergency Operations Center to implement necessary disaster relief and recovery programs;
  - Drafted State of Disaster Declarations and Orders for the Governor, Directives for HSEMA, and Emergency Procurement Procedures to assist the Commonwealth in its emergency response.
- **Sovereign Immunity Litigation.** On appeal in the Ninth Circuit the Commonwealth’s right to self-government and to assert sovereign immunity.
- **CUC Litigation.** Whether the CNMI can be sued by an agency which it created and which is, itself, part of the CNMI.
- **Weapons Control Litigation.** Represented the Commonwealth in the U.S. District Court on challenges made to the Commonwealth’s firearm statute.
- **Public Land Management.** Negotiated the lease agreement with the exclusive casino licensee Imperial Pacific for the Grand Mariana Resort site and assisted with regulations governing the use of public lands.
- **Building Safety Code Enforcement.** Assisted Department of Public Works enforce the Building Safety Code against violations for either failing to obtain a building permit and for constructing an unsafe structure.
- **Government Employment Benefits.** Settled claims involving the group life insurance program disputed by the insurance company.
- **Environmental Protection Enforcement.**
  - Provided assistance in the issuance of a permit for DPW and FEMA in accordance to requirements set forth in the Resource Conservation and Recovery Act. This enabled FEMA funding to be used for solid waste disposal costs associated with Typhoon Soudelor;
  - Reviewed several permits and federal consistency determinations, including the Navy’s Mariana Island Training and Testing project, Best Sunshine, Alter City, Honest Profit, Ocean Vista, the Tinian Transfer Station, and the Marpi Landfill. These permits require mitigation of impacts by developers, including improving the CNMI’s roads and sewers, particularly in the Garapan area.



*Lillian A. Tenorio  
Deputy Attorney General*

### Advisory Opinions & Legislative Review

The OAG provides legal advice and analysis to the Governor on pending legislation and other legal matters. In order to improve the effectiveness of legislation that governs the CNMI Government, the OAG undertook a range of legislative reviews.

#### Review of Legislation for the Chief Executive:

<b>Total</b>	<b>48</b>
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#### Review for Legislative Comments

<b>Total</b>	<b>60</b>
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#### Summary of Legal Services Request

<b>Department/Agencies</b>	<b>39</b>
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<b>Governor</b>	<b>29</b>
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<b>Total</b>	<b>68</b>
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### Solicitor's Division

The Attorney General created the Solicitor's Division to improve the management of our appellate practice, streamline the review and commenting of pending legislation, and the delivery of legal services to government agencies. Since the establishment of the division, the following activities occurred during the calendar year:

- Draft an appellate manual to ensure that the Commonwealth's appeals are handled in a uniform manner and in accordance with the rules of appellate procedure.
- Regularly researches and comments on bills pending before the Legislature. To this end, the OAG carefully scrutinizes every bill proposed by the Legislature or placed before the Governor.
- Draft new procurement regulations for the Commonwealth that will increase transparency in government contracting and save on millions of dollars. This will include the creation of a procurement handbook to guide government officials in the drafting, routing, monitoring, and enforcement of government contracts.



Guam Attorney General Elizabeth Barrett-Anderson and CNMI Attorney General Edward Manibusan signed a cooperative agreement to enhance consumer protection efforts.



Standing from left: Investigator George David, Guam Investigator Felix Manglona, AAG Teresita Sablan, Attorney General Edward Manibusan, Guam Investigator Bryan Cruz, Deputy Attorney General Lillian Tenorio, and Investigator Vince Babauta.



Guam Attorney General's Office donates relief goods to the CNMI Attorney General's Office after the CNMI was struck by Typhoon Soudelor.

### Consumer Protection Division

The Consumer Protection was re-established in August 2015. The re-establishment was in the wake of Typhoon Soudelor, and the office received a slew of complaints of price gouging. Since the re-establishment, the following activities have occurred:

- Engaged in media campaign to deter businesses from taking advantage of our community in the aftermath of the disaster.
- Received 33 formal complaints and approximately 20 informal complaints. Most of these complaints were resolved informally, while others are under investigation.
- Attorney General Manibusan entered into a cooperative agreement with the Attorney General of Guam, Elizabeth Barrett-Anderson, to enhance consumer protection efforts. Through this collaborative effort, the Attorneys General were able to meet with a top-level executive at United Airlines regarding the abysmal service provided in our region and the discontinuation of complimentary meal service on the Honolulu-Guam route.
- Will be increasing enforcement of consumer protection laws by conducting regular inspections of retail establishments to ensure compliance with the Consumer Protection Act,
- Collaborating with other government enforcement agencies;
- Increasing publicity of the office's consumer protection services and has written in newspaper columns focused on consumer issues.

# Civil Division: Administrative Information & Statistics

### Civil Litigation

2015 New Cases:	23
Active Cases:	77
Dispositions:	29
Wardships:	12

### Publication of Rules & Regulations in the Commonwealth Register:

Emergency Regulations:	5
Proposed Regulations:	20
Adopted Regulations:	22
Subscribers:	8
<b>Total Registry Collection:</b>	<b>\$1,280.00</b>

### 2015 Apostilles/Certifications Issued

Apostilles:	167	\$8,350.00
Certifications:	257	\$12,850.00
<b>Total:</b>		<b>\$23,200.00</b>

### Notary Public Applicants & Authentication

Total Notary Public:	154
2015 New Notary Public:	25
2015 Notary Public Renewed:	55

### Environmental Protection Enforcement

CRM Enforcement Actions:	56
DEQ Enforcement Actions:	74
Safe Drinking Water Act Violations:	25
Earth-Moving Violations:	8
Pesticide Violations:	8
Substantial Water Quality Violations:	8
<b>Total Enforcement Actions:</b>	<b>130</b>

### Appellate Cases

2015 New Cases:	7
Active Cases:	19
Oral Arguments:	14
Dispositions:	14

### Child Support Enforcement

2015 New Cases:	27
Initiating Cases:	15
Responding Cases:	12
Active Cases:	438



### FY 2015 Budget & Expenditures

General Funds:	\$2,303,763.00
Personnel:	\$2,199,320.00
Operations:	\$104,443.00
Federal Funds:	\$171,300.00
<b>Total Expenditures:</b>	<b>\$2,475,063.00</b>

### Personnel

Attorneys:	20
Investigators:	3
Support Staff:	19
Victim/Witness Unit:	5
<b>Total:</b>	<b>47</b>

# CRIMINAL DIVISION

The Criminal Division is principally responsible for prosecuting misdemeanor and felony crimes that are referred to the office by other law enforcement agencies. The division is comprised of eleven (11) specialized criminal units, to include: Crimes Involving Sexual Assault; Domestic Violence; Property Crimes; Juvenile; Human Trafficking; Public Corruption/White Collar Crimes; Appellate; Drugs; Crimes Against Persons; Traffic; and Victim Advocacy/Witness Assistance.

In addition to prosecuting violations of criminal law, prosecutors are actively participating in various activities involving the Criminal Justice System. This includes:

- Training law enforcement officers on Saipan, Tinian, and Rota;
- Participation in committee groups to include Drug Court, Mental Health, Traffic, and Juvenile;
- Instructors for 2016 Police Academy;
- Collaboration with non-profit organizations and service providers such as the DVIC, Coalition Against Sexual Assault, and etc.



## Investigation Division

The Office of the Attorney General Investigation Division was statutorily established in May 2013, through the passage of Public Law 18-13 and 18-14, to:

- Investigate white collar crimes and violations of all CNMI laws.
- Provide investigative assistance in criminal and civil matters, child support enforcement, consumer protection, and local and federal law enforcement agencies.

In 2015, AGID investigated forty-five (45) criminal complaints ranging from forgery, theft, illegal importation of contrabands and counterfeit, unperformed travel authorizations, bribery, and falsifying contract documents, and price gouging.

## STATISTICS

### 2015 New Cases

<b>Criminal:</b>	
Felony:	118
Misdemeanor:	102
<b>Juvenile:</b>	
Traffic:	2,773

### Cases Received by Location

Saipan:	2013
Rota:	16
Tinian:	34

### Cases by Offenses

<b>Crimes Against Persons:</b>	
Family Violence:	74
General Crimes:	40
<b>Property Crimes:</b>	
Drugs:	25
Crimes Involving Sexual Assault:	12
Public Corruption:	7
Firearms:	1
Customs:	1
Miscellaneous - Misdemeanors:	3

### Case Status:

<b>Convictions:</b>	
Guilty Pleas:	110
Jury/Bench Trial Convictions:	5
<b>Pending:</b>	
Dismissals:	20
Acquittals:	6

EVENTS



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## Key Initiatives for 2016

- Improve/Strengthen the Criminal Code;
- Identify solutions to Mental Health Issues;
- Implement training courses for Police Officers to strengthen criminal investigations and prosecution;
- Draft Sentencing Guidelines;
- Draft new procurement regulations for the government and provide training to agencies;
- Work on Consumer Issues and Strengthening Enforcement;
- Defend our Commonwealth’s firearm laws.

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*If you have any recommendations on what you would like to see included, please contact Carla Torres, Public Information Officer, at (670) 237-7500 or email at [ctorres.oag@gmail.com](mailto:ctorres.oag@gmail.com)*

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## Attorney General’s Calendar Year 2015 Report

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### CNMI Office of the Attorney General

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Criminal Division	(670) 237-7600
Criminal Investigation Division	(670) 234-8964