

COMMONWEALTH OF THE  
NORTHERN MARIANA ISLANDS  
OFFICE OF THE ATTORNEY GENERAL



# 2023 ANNUAL REPORT



The year 2023 begins my third term as Attorney General. I am deeply humbled by your support and honored by the confidence you have placed in me to serve you as your Attorney General for a third term.

This report highlights the dedication and hard work of the attorneys and staff of the Office of the Attorney General. I am proud of the work presented in this Annual Report, and I look forward to this Office's future accomplishments. The Office of the Attorney General continues to provide legal advice to the Executive Branch, autonomous agencies and public corporations including providing

comments on proposed legislation to the Legislative Branch of our government. The OAG continues to work in collaboration with the agencies of our government in order to continue the provision of services to the people of the Commonwealth.

Highlighted in this report is the OAG's continuing pursuit and prosecuting of criminal and civil activities against government officials. The OAG will continue to pursue justice and stay true to protecting our citizens from unlawful and criminal activities.

I will continue to work earnestly on behalf of the people of the Commonwealth and I welcome your ideas on ways that the OAG can better serve you. As your Attorney General, I will continue my dedication to the rule of law, honest and transparent and continue to provide a steady and consistent leadership for the benefit of the people of the Marianas.

**Edward E. Manibusan**

Attorney General of the  
Commonwealth of the Northern Mariana Islands



**Lillian A. Tenorio**  
Deputy Attorney General

Under the leadership of the Attorney General, the OAG team of attorneys and staff worked diligently to ensure that executive branch departments and agencies took full account of legal issues in the performance of their respective duties and responsibilities. The office continues to rely on the network of offices of the attorneys general providing us with information and resources on litigation matters including multistate litigation cases, best management practices, and the development of national policies and protocol. From the conduct of the general election to public housing to procurement and public contracts to scrutinizing legislation that affect the livelihood of everyday residents of the Commonwealth, the Office of the Attorney General has served and protected the public interest and the Commonwealth under the principle that no one is above the law.

## Office of the Attorney General

### DIVISIONS:

- 1 Civil Division
- 2 Criminal Division
- 3 Office of the Consumer Counsel
- 4 Solicitor's Division
- 5 Child Support Enforcement Unit (CSEU)
- 6 Attorney General Investigative Division (AGID)
- 7 Victim Witness Advocacy Unit (VWAU)
- 8 Administrative Services Division
- 9 Information Technology Unit
- 10 Grants Management and Public Information Office



# 2023

## ADVISORY OPINIONS, LEGISLATIVE COMMENTS & OTHER LEGAL SERVICES

January – December 2023

The Office of the Attorney General (OAG) provides essential guidance for the Governor, and government departments and agencies in the Commonwealth of the Northern Mariana Islands (CNMI). Through the issuance of advisory opinions, the Attorney General plays a pivotal role in shaping the legal landscape, covering areas such as legislation, administrative law, regulatory compliance, and litigation. The ensuing statistics highlight the significant impact and importance of the OAG's advisory opinions.

Legislation Review – Governor	52
Legislative Comments	78
<b>Total:</b>	<b>130</b>

### Legal Services Request

Department/Agencies	492
Governor	30
<b>Total:</b>	<b>522</b>

Agencies Served	70
Procurement Contract Review	654
Personnel Contract Review	1,100
Communication-Dept/Agencies	114
Communication-Private Sector	132

### Commonwealth Register:

Emergency Regulations	3
Proposed Regulations	26
Adopted Regulations	24
Agency Orders	92
Subscribers	1
<b>Total Collections:</b>	<b>\$160.00</b>

### Notary Public Applicants:

Total Notary Public	184
New	26
Renewed	60
Government NP	24
<b>Total NP Collection:</b>	<b>\$2,150.00</b>

### Apostilles/Certifications Issued:

Apostilles	2,171	\$108,550.00
Certifications	95	\$4,750.00
<b>Total</b>		<b>\$113,300.00</b>



**Alison Nelson**  
**Chief, Civil Division**  
 April 8, 2022 – Present

The Civil Division advises the Office of the Governor and the executive branch of the Commonwealth, including all public corporations and autonomous agencies on all civil and administrative matters. The Division's team of assistant attorneys general (ranging in size from 10-14 attorneys from time to time) works tirelessly to review legislation, proposed regulations and policies, and proposed leases and contracts, as well as to advise Commonwealth agencies regarding employment matters, land claims, permitting, and all other issues facing the Commonwealth. The Division also provides legal representation to the executive branch departments and agencies in all ongoing civil litigation and administrative matters as needed.

In 2023, the Civil Division resolved important civil matters, including:

- Participation in the distribution of funds from the receivership of Imperial Pacific International (CNMI), LLC, including recovery of a portion of outstanding tax debt;
- Issuance of a decision by the NMI Superior Court upholding an Election Commission decision requiring voters to be residents with a domicile in the CNMI;
- Entry of settlements and stipulated resolutions and dismissals in numerous cases to resolve disputes without the continued time and expense of ongoing litigation.

The Civil Division also took various actions to enforce Commonwealth Law and uphold the NMI Commonwealth Constitution including:

- Actions to recover on security funds held by the U.S. District Court to secure a temporary injunction against Imperial Pacific International, LLC that was later overturned by the Ninth Circuit;
- Issuance of orders in aid of judgment or writs of execution to collect on judgments in favor of the Commonwealth, including judgments entered in suits to recover unlawful payments of overtime or premium pay from gubernatorial appointees for time worked during Typhoon Yutu.

Notably, attorneys from the Civil Division obtained favorable decisions from the NMI Supreme Court and the Ninth Circuit relating to its efforts to enforce non-compliance by Imperial Pacific International (CNMI), LLC with its exclusive casino license agreement and applicable gaming laws.

Division Attorneys also prevailed in administrative proceedings before various agency commissions and review boards, including appeals to the Civil Service Commission seeking review of employee terminations and challenges before the Department of Public Lands hearing officer with respect to lease terminations, land compensation disputes, and homestead eligibility determinations. Of note, a recent hearing officer decision upheld DPL's termination of the Rota Resort, LLC lease for non-payment and abandonment.

#### CIVIL CASE STATISTICS 2023:

##### *Civil Litigation- Superior Court*

New	12
Active	47
Dispositions	13

##### *Supreme Court- Appellate Cases*

New	2
Active	4
Oral Arguments	3
Dispositions	3
Pending Decision	0

##### *U.S. District Court Cases*

New	3
Active	11
Disposed	2

##### *U.S. 9<sup>th</sup> Circuit Cases*

New	1
Disposed	3

# Criminal Division



## Chester Hinds

Chief, Criminal Division

August 15, 2021 – Present

- Guilty verdict in a four-year long jury trial sexual assault case. In August 2023, a six-person jury unanimously found Defendant Kenneth Kaipat guilty on all nine counts of sexual assault– *Commonwealth v. Kaipat, Criminal Case No. 21-0072*.
- Prevailed in the Supreme Court ruling where the government successfully argued that a Judge erred in his finding of no probable cause in the case of CR 22-0183 Commonwealth v. Frink. The Supreme Court granted the Commonwealth’s petition to vacate the trial court’s dismissal, reversed the lower court’s decision where no probable cause was found, and reinstated the sexual assault charges against the Defendant (In re Commonwealth v. Superior Court, 2026 MP 5).
- Advocated and submitted comments in support of H.B. No. 22-39, HS1, that allows a witness to testify about an alleged victim’s description of an offense - Witness to Outcry of Abuse.

### Trainings and Presentations Facilitated:

- Presented on “Investigative Stops, Arrests, and Evidence” to CNMI Department of Public Safety – Criminal Investigations Division (CID) Detectives, Patrol, and Traffic Officers.
- Presented on “Search – with warrant, Search – without warrant, Other searches, Phone contents (Subpoena vs. Search Warrant), and Social Media (Facebook, WhatsApp, Instagram) to CNMI DPS – CID Detectives, Patrol, and Traffic Officers.

### Community Engagement & Outreach:

- Established partnership with PSS, DYS, and Juvenile Court to initiate “truancy court” under Juvenile Court.
- Participated as a panelist to discuss the topic “Protecting our children and intergenerational trauma” as part of SAAM outreach.
- Participated as a panelist to discuss the topic “The Process of How to Report Sexual Assault” as part of SAAM outreach.

# 20 23

# Annual Report Statistics for Criminal Division

Below you will find Criminal Division Statistics for January to December 2023 as follows:

## NEW CASES

<b>Criminal (CR)</b>	
Felony	146
Misdemeanor	166
Juvenile (JUV)	20
<b>Traffic (TR)</b>	
Non-payable	349
Payable	3825

## Cases Received by Location:

<b>Saipan</b>	
Criminal	304
Traffic	4103
Juvenile	20
<b>Rota</b>	
Criminal	4
Traffic	71
<b>Tinian</b>	
Criminal	4

## CRIMINAL CASES BY OFFENSES

<b>Crimes Against Persons</b>	
Family Violence	
Saipan (CR)	99
Tinian (CR)	1
General Crimes	
Saipan (CR)	76
Juvenile	10
Property Crimes	
Saipan (CR)	88
Juvenile	6
Tinian (CR)	1
Rota (CR)	1
Drugs	
Saipan (CR)	3
Tinian (CR)	1
Rota (CR)	1
Crimes Involving Sexual Assault	
Saipan (CR)	21
Juvenile	4
Tinian (CR)	1
Rota (CR)	2
Public Corruption	1
Firearms	10
Missing Person/Lost at Sea	3
Stalking	3

## CASE STATUS

<b>Convictions</b>	
• Guilty Pleas	
Saipan	70
Rota	1
Traffic	3451
• Bench Trials	
Saipan (CR)	4
Traffic (TR)	43
Convictions	
Saipan (CR)	1
Traffic (TR)	24
Acquittal (TR)	2
Dismissal (CR)	2
Dismissal (TR)	13
Pending (CR)	1
Pending (TR)	4
• Jury Trials	
Saipan Pending (CR)	14
<b>Pending</b>	
Saipan (CR)	82
Tinian (CR)	2
Rota (CR)	3
Juvenile	19
Traffic	229
<b>Dismissals</b>	
Saipan (CR)	11
Tinian (CR)	1
Juvenile	1
Traffic	39
<b>Off Calendar</b>	
Saipan (CR)	2
Traffic	412
<b>Court Program</b>	
(Drug Court & Mental Health Court)	
Saipan (CR)	7
Tinian (CR)	1
<b>Declined Prosecution</b>	
Saipan (CR)	114

# Solicitor Division



**Robby Glass**

Chief, Solicitor Division

July 11, 2020 – Present

The Office of the Chief Solicitor is a division within the Office of the Attorney General. The Chief Solicitor is responsible for supervising and approving all appellate litigation for the Commonwealth of the Northern Mariana Islands and for ensuring consistency in legal positions taken by the Commonwealth. The Office of the Chief Solicitor is responsible for handling the appeals deemed most significant to the Commonwealth's interests and the development of federal and Commonwealth jurisprudence. Additionally, the Chief Solicitor provides legal review of pending legislation, handles litigation, advises both civil and criminal litigators, and advises various CNMI agencies. The Office of the Chief Solicitor also provides guidance to CNMI agencies through Attorney General opinions. The Chief Solicitor reviews potential issues in the Supreme Court of the United States, The Ninth Circuit, and the Commonwealth Supreme Court to see if the Commonwealth should intervene or appear as an *amicus curiae*.

## United States Supreme Court:

- *Imperial Pacific International, LLC v. Commonwealth Casino Commission*, No. 23-522- Petition for Writ of Cert filed by Imperial Pacific was denied, thus finally concluding that the Commonwealth Casino Commission is not required to engage in arbitration for the casino license revocation of Imperial Pacific.

## U.S. Ninth Circuit Court Cases:

- *Best Sunshine and Imperial Pacific International, LLC v. Commonwealth Casino Commission*, No. 22-16630- successfully reversed the district court's order compelling arbitration for the casino license revocation proceeding of Imperial Pacific.
- *Yarofalchuw v. Cabrera*, No. 23-15279- submitted briefing and argument in a case regarding qualified immunity of two DPS officers who effectuated an arrest which was alleged to be unconstitutional.

## CNMI Supreme Court cases:

- *In re Commonwealth v. Superior Court*, 2023 MP 5- successfully mandamus a judge who did not apply the correct standard in assessing the evidence presented in a preliminary hearing. On remand, the judge, following the mandate from the Supreme Court, correctly found probable cause in a sexual assault case.
- *Commonwealth v. Imperial Pacific Int'l*, 2023 MP 8- successfully upheld the suspension of the sole casino licensee.
- *Anaks v. Atkins Kroll Saipan, et. al*, 2023-MP 1- Received clarification on when the action accrues for jurisdictional purposes of judicial review of zoning agency actions.
- *Commonwealth v. Zhang*, successfully upheld the convictions and sentences of a defendant who vandalized the windows of the Francisco C. Ada International Airport.



# Consumer Counsel Division



**Hunter Hunt**

Consumer Counsel Division

## CONSUMER COMPLAINTS

The Office of the Consumer Counsel (OCC) promotes and protects the interests of CNMI consumers while ensuring a competent and fair marketplace. Consumer Complaint forms may be obtained [www.cnmioag.org](http://www.cnmioag.org) under the Consumer Protection section or in person at the Civil Division on Capitol Hill, or via email by sending a request to [consumer\\_counsel@cnmioag.org](mailto:consumer_counsel@cnmioag.org). Complaint forms may be hand delivered to the Civil Division or submitted via email. Consumers may also contact the Attorney General Investigative Division Hotline at 237-7630..

The Office of the Consumer Counsel was created by the Consumer Protection Act of 1989, PL 6-46, to protect the consumers of the CNMI from unfair and deceptive business practices, to provide a mechanism for resolving disputes between merchants and consumers, and to provide civil and criminal remedies for violations of the consumer protection laws. The Office of Consumer Counsel also oversees the CNMI's involvement in multi-state consumer protection-related litigation.

## PARTICIPATION IN MULTI-STATE LITIGATION

Continuing from last year's successes, which garnered two settlements with the manufacturers of Opioid drugs which netted the Commonwealth \$600,601.12 of settlement monies. Currently in-progress are the collections from the Consent Judgments against Teva and Allergan. The OAG had filed Consent Judgments against Walmart, Walgreens, and CVS and the CNMI expects settlements against these companies.

## CONSUMER COMPLAINTS

The Office of the Consumer Counsel received a large number of complaints this past year. Many of these complaints were not actionable because they did not involve consumer protection issues. Of the complaints that were actionable, fourteen resulted in investigations. Five were resolved in favor of the complainant or Commonwealth, six were determined to not be a violation of the Consumer Protection Act, and the remaining three are ongoing. Seven stores were cited after the OAG conducted retail store sweeps resulting in two Notices of Violation being issued. The AGID reinspected these stores for compliance and discovered that they had remained in compliance. Another store which had thirty-eight violations had only two violations upon reinspection. The OAG Consumer Council Division continues to investigate Consumer Protection Act violations in all 3 islands.



# Child Support Enforcement Office

## MISSION:

### **The mission of the Child Support Enforcement Division:**

Every child needs the financial and emotional support of both parents. Our mission is to assist parents in obtaining the financial support necessary to raise their children. Our office assists parents by establishing paternity and enforcing child support and related orders issued by the court. Our goal is to collect and distribute support payments in a timely manner.

### **Accomplishments for 2023:**

The Child Support Collections for this past year have started to rise back to those of the pre-Covid era. We also now have an annual update on the child support arrears owed in each case.

<b>CASELOAD ACTIVITY:</b>	
<b>The number of child support cases:</b>	<b>2022</b>
Initiating	7
Responding	5
Active	292
Closed	16
<b>Total:</b>	<b>320</b>
<b>Child Support Collections:</b>	
	<b>2023</b>
Child support collected & Distributed	\$356,483.86
Amount of child support distributed & attributable to Tax Rebate/Refund	\$35,422.05
Amount of child support distributed & attributable to Labor (FPUC/PUA)	\$10,928.00
<b>Total collections</b>	<b>\$402,833.91</b>
<b>New Hire Directory:</b>	
	<b>2023</b>
Number of new hires reported by employers from 1/1/2023 (when NH law was passed) to 12/31/2023:	3,022
Total number of employees in the New Hire Database (Including employees before the law was passed):	30,022

# Investigative Division



**Ikluk Masayos**

Chief, Investigative Division

September 3, 2022 – Present

## MISSION STATEMENT

The Mission of the Attorney General's Investigative Division is to safeguard and be faithful to the Constitution of the Commonwealth of the Northern Mariana Islands and the United States of America to zealously, effectively and indiscriminately enforce the law equally and impartially; to exemplify the finest law enforcement agency by providing the highest level of professionalism, standards, proficiency, loyalty, and commitment to the CNMI community ; and to investigate and reduce crime by enhancing co-operations and partnerships with other law enforcement and stakeholder agencies.

### AGID Documents Served

Documents	Received	Served
Penal Summons (TR & CSC)	111	91
Witness Summons (TR & CSC)	123	107
Child Support Documents	18	16
Civil Documents	20	20
Bench Warrants	1	1
Subpoenas	24	24
Court Orders	3	3
Request to Appear	0	0
<b>TOTAL</b>	<b>300</b>	<b>262</b>

## 2023 Highlights

- In 2023, AGID conducted both preliminary and full investigations of (17) total cases, which includes 11 (2022) cases that remained active. These cases are a combination of criminal, civil, and consumer cases. The cases range from theft, theft by deception, misconduct in public office, smuggling, fraudulent crimes, illegal notary, ethics violation, procurement violations, assault & battery, disturbing the peace, drug court participant violations, consumer complaints, theft of firearm, resisting arrest, and violations of conditions of release.
- The Attorney General Investigative Division has expanded its role in supporting and assisting multiple different agencies both local and federal. In a joint effort AGID has been a part of numerous operations to combat consumer complaints, and other criminal cases that include misuse of food stamps, misconduct in government office, to include theft and theft by deception reports. AGID assistance was also requested by the U.S. Coast Guard and the Food and Drug Administration Enforcement unit, along with local Customs and Quarantine agencies to conduct joint inspections of containers. AGID assistance was requested by Alcohol, Beverage and Tobacco Control (ABTC) to conduct surveillance and confiscation of illegal sales of alcohol. AGID has taken over cases that were forwarded from Office of Public Auditor. Establishing a good working relationship with multiple different agencies enables AGID to be well-versed, well-informed, as it increases the chances of receiving key intelligence that may be vital in conducting their investigations.

# Victim Witness Advocacy Unit

Throughout 2023, <sup>119</sup> the Victim Witness Advocacy Unit continued to provide services to victims of crime as well as temporary restraining orders assistance. Advocates continued to participate in community outreach efforts despite the demand in services and attend collaborative interagency meetings.



## Accomplished Highlights

- ✓ Awarded VOCA and VAWA federal funding for operational and personnel costs;
- ✓ Continued collaboration with partnering agencies;
- ✓ Continued outreach participation;
- ✓ Continued to provide payment for language access, specifically, limited English proficiency victims and witnesses;

## Community Outreach Efforts and Presentations:

- ✓ *Teen Dating Awareness Month*
- ✓ *Sexual Assault Awareness Month*
- ✓ *Domestic Violence Awareness Month*

*“2023 Advocacy Academy: Understanding Consent and Victim Advocacy Services”*

Presenters: Celina Romolor-Route & Assistant Attorney General Frannie Demapan

*“Victim Restitution for DPS Patrol Officer”*

Presenters: Edward Cordero & Assistant Attorney General Carmen Borja

## Types of Cases Served:

- ✓ General Crime

Overall New Victims Served in Calendar Year 2022	
Persons	335
Business/Government	33
Family Court Related-Matters	252
<b>Total</b>	<b>620</b>

- ✓ Sexual Violence
- ✓ Domestic Violence
- ✓ Property Crimes
- ✓ Firearms
- ✓ Traffic
- ✓ Drugs

Services	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec	Total
<i>Information &amp; Referral</i>	120	61	119	48	348
<i>Personal Advocacy/Accompaniment</i>	28	7	1	19	55
<i>Emotional Support or Safety Services</i>	64	19	22	47	152
<i>Shelter/Housing Services</i>	1	0	0	0	1
<i>Criminal/Civil Justice System Assistance</i>	83	48	20	51	302

# Administrative Services Division/ Grants Management Division



## Tina Deleon Guerrero

Manager, Administrative Services Division

August 3, 2010– Present

### MISSION STATEMENT

The Administrative Division provides administrative support to all Divisions under the Office of the Attorney General by performing a variety of administrative tasks. The Division plans, organizes, and implements the office's programs, policies and objectives, in addition to coordinating office services such as sound fiscal management, records management, recruitment and training/professional development. It also reviews and recommends to management the technical and procedural needs of the office overall. The Division is further tasked with the management of grant awards as well as to research and produce grant proposals for submission, and is responsible for publishing the Commonwealth Register and registering of the Notaries Public. The Administrative Division is the primary hub for the evaluation and completion of all Human Resource functions of the office.

### BUDGET & EXPENDITURES 2023

General Funds	\$2,940,110.00	<b>Personnel</b>	
Personnel	\$2,910,234.00	Attorneys	24
Operations	\$29,876.00	Investigators	3
Federal Funds	\$268,216.00	Support Staff	26
<b>Total Expenditures</b>	<b>\$3,208,326.00</b>	Victim Advocates	4
		<b>Total Personnel</b>	<b>57</b>



## Carla Hocog

Grants Management Specialist

August 19, 2013 – Present

### 2023 GRANT AWARDS

**Grantor:**  
*Criminal Justice Planning Agency*

**TOTAL:**  
**\$291,972.55**



# Information Technology



**William Rathburn**

Manager, Information Technology

**Arthur Villaluz**

IT Network Administrator

The Information Technology (IT) Unit manages and maintains the information systems and technologies for the Office of the Attorney General (OAG). The IT Unit's responsibilities include the management of computer and server systems, databases, network security, and physical security. The IT Unit coordinates office building maintenance and repairs when needed.

## Hardware, Software and User Support

Ensured OAG data systems provided timely, accurate, secure data capture, processing and reporting services. Provided tier one hardware support for network and database servers, network routers, switches, cable modems and access points, desktop and portable computers, printers, scanners, copiers, conferencing devices and telecom systems. Provided tier one software support for server and PC operating systems, network hosted databases applications, local and web-based domains, conferencing and remote access software, and access control and employee identification card systems.

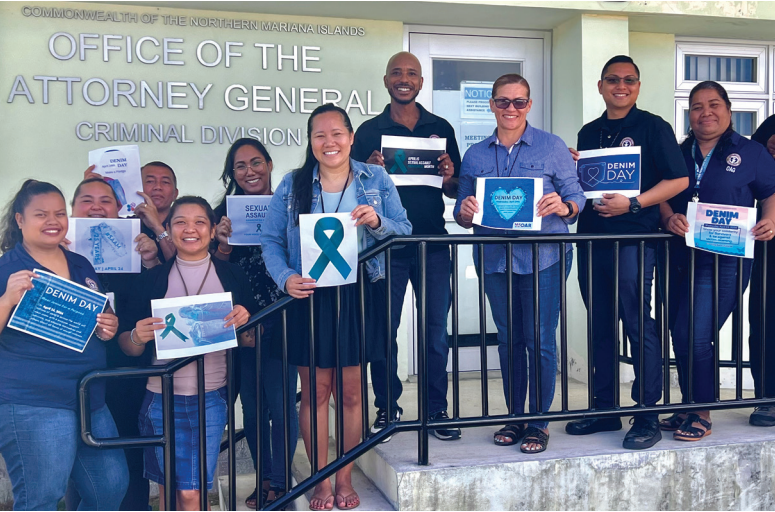
## Case Management System Implementation

The IT Unit worked with end users and vendor to ensure Criminal Division's new Judicial Dialog case management system meets work and dataflow requirements. Criminal Division is preparing for primary user training for legal assistants. Implementation of Criminal Division's Judicial Dialog case management system proved challenging.

The IT Unit continually works hard to improve the office's information systems and technologies.



# OFFICE FUNCTIONS AND INTERGOVERNMENTAL ACTIVITIES



# 2024 KEY INITIATIVES

- Continue to support all law enforcement through meeting and training by means of academy or in service;
- Focus on illegal business practices that hurt our consumers and other businesses;
- Continue to foster a non-partisan position on all matters brought to our attention;
- Continue to promote and ensure an open and transparent government;
- Continue to improve/strengthen the Criminal Code;
- Continue to work on new procurement regulations for the government and provide training to agencies;
- Continue to implement Consumer awareness programs and investigate consumer complaints;
- Continue to explore solutions to mental health issues in the criminal justice system;
- Continue to collaborate with DPS and DYS to address juvenile delinquency issues in the Commonwealth;
- Continue to collaborate with other jurisdictions to expand resource activities to combat illegal drug and criminal activity in the CNMI;
- To increase child support collections and enforcements.

CNMI Office of the  
Attorney General  
Caller Box 10007  
Saipan, MP 96950

**WEBSITE:**  
[www.cnmioag.org](http://www.cnmioag.org)

Civil Division  
(670) 237-7500

Criminal Division  
(670) 237-7600

Investigative Division  
(670) 237-7627

Victim Witness  
Advocacy Unit  
(670) 237-7602

Grants/PIO  
(670) 237-7500

If you have any recommendations on what you would like to see included, please contact Andrea M. Kaipat at (670) 237-7500 or email at [andrea\\_kaipat@cnmioag.org](mailto:andrea_kaipat@cnmioag.org)