

**JUDICIAL HISTORY & ARTS SOCIETY OF GUAM, INC.**  
**Minutes of July 17, 2013**

**I. CALL TO ORDER @ 3:15 p.m.**

- The meeting was held in the conference room of the U.S. Marshals Service, third floor, 520 West Soledad Avenue, at Hagatna, Guam.
  
- Present were: Mikel Schwab, AUSA and Chairperson, Directors Charles White (Chuck), Chief Deputy Clerk for Operations, DC-GU; Rossanna Villagomez-Aguon (Rox) Chief U.S. Probation Officer; Elaine J. Gogue, Administrative Officer, USMS; Lolita Toves, Judicial Assistant to U.S. Magistrate Judge; Mary Rasmussen, HR-USPO, and Galo Perez, retired Clerk of Court DC-NMI.
  
- Absent were: Jessica F. Cruz, AUSA; John T. Gorman, Fed. Public Defender; Lita Duenas, Admin. Officer, Office of the FPD; Rosita P. San Nicolas, Retired USCourts-DC-GU, and Christopher Duenas, Retired DUSPO.

**II. ORDER OF BUSINESS**

**A. Report on Display Cases.**

- The Chair reported that he and Chuck White went to the Tanota Partners warehouse and there they found three display cases which were generic in looks but in good shape.
  
- The company Tanota Partners donated the three display cases chosen. The display cases are with metal frames and glass or plexiglass encased. He added that the major goal of the Society is to fix the cases in presentable form.
  
- The cases needs to be prepped clean and ready for capping or skirting with dark velvety cloth, covering the brand name Oakley embossed on two of the cases.
  
- Elaine suggested they could easily be masked and also that expenses can perhaps be covered by member dues.
  
- Chuck stated the cases are in the satellite library downstairs in the building. He added that he will buy Brasso, Windex, or whatever else needed to clean the metal, and buy replacements for ballast lights, put new lighting which would highlight the items being displayed, etc., and begin to refurbish the display cases. Chuck stated that he will donate the expenses incurred by him. The Chair also stated that he will also donate to the expenses. Galo observed that it sounds like a project requiring some funding for expenses.

- The status of the corporation, the Society, as a 501( c)( 3) corporation was discussed; that it allows people to donate items such as the display cases and in turn donors receive a tax credit; that the society itself will also receive a tax break. Furthermore, the status would allow the possibility of member dues paying expenses.
- How can that be achieved? Chuck stated that the goal is to get the 35-page Form 1023 submitted and approved to complete the 501( c)( 3) status; and once approved as corporate status, it would mean requirement of once a year reporting, no corporate tax, publication requirement once a year, be able to fund raise even nationally after IRS approval is obtained for Federal Campaign Program.
- Lolita inquired where the display cases will eventually be located. Chuck replied that one will be placed on the first floor, to the left of the elevators, and two will be placed on the fourth floor of the courthouse, one on each side of the elevators, the floor where most people like tour groups, come to visit. The Chair stated that he would like to get the Guam Bar involved as well in this project.
- \* **The Chair stated that at the conclusion of the meeting the committee members will proceed to the library located on the first floor of the courthouse to view the donated display cases.**

**B. Observation Post.**

- Elaine inquired about the idea of the Observation Post.
- Lolita stated that she did submit to Jessica as she was present at the June meeting when it was discussed and was acting co-chair.
- The Chair replied that Jessica was not able to submit in time to Observation Post about the Society's next meeting which would be this meeting as she is very busy at the office.
- The Chair continued that the goal of the Observation Post was to solicit interested persons to attend and who would be interested in sharing ideas with the Society about arts and to share their knowledge about the court's history.

**Action Item: How about submitting in time for next meeting - August 28, 2013?**

**C. Representative to Ninth Circuit Judicial Historical Society**

- Chuck mentioned some names who have submitted their resumes and of their interest to the Society, but he has no further report on who was selected; that that decision will come from the Ninth Circuit.
- Chuck added that Chief Judge Tydingco-Gatewood wanted to be involved in the

selection process, but the decision would be by the Circuit..

- Those persons who have submitted their interest include:
  - Colin Jones, a professor at the University of Japan, and who was of counsel with the law firm of Rawlen Mantanona;
  - B. Ann Keith, Staff Attorney, Supreme Court of Guam
  
  - Ladd Baumann, Esq., local attorney, who submitted to an East Coast Judicial Society his scholarly publication on legal history;
  - Robert Cruz, Esq., Staff Attorney, Superior Court of Guam.
  
- Lolita inquired if that person selected will become a director/member with this group which was thought of as a good idea.

**Action Item: The Chair will find out from Cynthia Ecube if there is someone from the Guam Bar Association who was selected to be a representative to the Ninth Circuit Judicial Historical Society. He added that he will also talk with Ladd Baumann about his publication and to invite him to attend one of the Society's meetings in the future.**

**D Society Website, Logo, and Color Wheel**

- Chuck stated that the website is completed but is again asking directors/members to come up with Guam local and Judicial ideas which would be combined into one theme. He then suggested the sea turtle, adopting the idea that the Chief Judge gave at a recent court event when she presented a carved turtle and stating the turtle depicts "justice", and perhaps to combine that idea with the scales of justice.
  
- Another suggestion was the proa and a latte stone with scales of justice in one piece.
  
- Still another suggestion was the latte stone with indigenous form of a scale. The Chair concluded something historically Guam but then can be modified to be judicial.

**Action Item: Come up with other suggestions for a theme on the website and colors, which can be modified judicial.**

- E. Oral Interviews:** The following oral interview schedules were discussed:
- 1. Antonio Baza:** Chuck stated that he did two videos of Mr. Baza, 95 minutes total.
    - Elaine Gogue gave a report as well on the interview of Mr. Baza, that Mr. Baza was very enthusiastic that he kept on talking as soon as he came in for the interview. She added that Mr. Baza especially talked about his father's defiance in getting a clearance first before having trained him with prisoners so that he, the son, can be sworn in as deputy U.S. Marshal.
  
  - 2. Galo Lujan Perez:** Chuck reported that that the three interview sessions went well.
    - He conducted three interview sessions; one about his tenure with the court; another of the Bordallo case; and a third video of 21 minutes about his reflections of Judge Cristobal C. Duenas.
  
    - Chuck stated he plans to do a fourth video just on the land claims case which was a major case . He reported . He added the two interviews were each 95 minutes long and that Mr. Perez was a perfect witness to the events that took place during his employment with both the Superior Court of Guam and the District Court of Guam which began from early 1960's to early 1990's.
  
    - Galo has worked with the court beginning with Judge Gilmartin, Judge Duenas, Judge Unpingco, Judge Gatewood and lastly, with Judge Ramona V. Manglona Clerk of Court, and of course working with all the visiting judges of each judge's eras.
  
    - Chuck added that he was a good witness to some historic events of the court such as the Bordallo case, the first jury trial case for the district court, and the land claims case which happened in the late 1970's involving 6,000 claimants in one case settlement amounting to \$50 Million to be disbursed and finding the right bank that would give the best interest on the money to be deposited; that the interest earned would be divided among the six land claims attorneys.

**Action item: Report further on the last interview.**

- 3. Soledad Santos:**
  - Lolita reported that at first she was going to do the project, but she suggested that perhaps Rosita or even Galo Perez should conduct the interview since they all worked together; that they would know exactly what questions to ask of Ms.

Santos.

- Galo however offered to help in the project but would want Chuck to conduct the interview. In addition, he requested the use of the court equipment be it recorder and/or video camera.
- Galo concluded that Ms. Santos is one of the early pioneers of the court working as a deputy clerk, manually inputting information into the card index (3 x 5) system, manual typewriters, but has a mind like the computer who was able to retrieve from memory and respond to what the court inquirer wanted.

**Action Item: Report on the status of the interview project of Ms. Santos.**

#### **4. List of names for other Oral Interviews.**

- Galo asked about interviewing others after Mr. Baza; that the Society should come up with a list of names to do interviews with a goal of prioritizing the candidates by era as time is of the essence considering some are elder and may die without preserving their history.
- Galo suggested creating a list of names beginning with people like Edward S. Terlaje, J. Bradley Klemm, John Dierking, and so forth. Other names mentioned were: David Lujan, former Judge John S. Unpingco, Roger Krauthamel, and Howard Trapp.
- Galo added that the Judges and other employees can identify who the other employees or co-workers were during their times. Elaine agreed that the court eras can be identified by the judge's tenure.
- The Chair stressed that that is the goal; that the goal would be to focus on one person at a time because of resources, to determine who would be the next person on the line, and to follow a time line; that in doing so, other names to interview of that time line may be identified; and that with those clues, it may invite other interested persons to become involved with the Society.
- He concluded that there will be, of course, restrictions placed on the interview by the interviewee as to when the information obtained in the interviews can be released.

### **III. Other Business**

#### **A. DC-CNMI History Project.**

- Galo informed that he himself before he retired with the District Court of the

Northern Mariana Islands, he started to set up the court history project.

- He started to interview Judge Alex R. Munson. He has a goal to also interview the former judge, Alfred Laureta who is now living in the Hawaiian Islands.
- He has a goal to interview other possible candidates who were involved in the court's history of the Northern Mariana Islands District. The 50<sup>th</sup> Anniversary of the Court is upcoming soon and all the more reason to push on the project.

#### **B. Visit to the Superior Court of Guam**

- The Chair informed that the earlier Historical Committee of this court were invited to visit the local Superior Court of Guam's history, which he felt was excellent, considering the many old photographs displayed on the walls in the building, as well as viewing some of the old Spanish records.

#### **C. Locations of the District Court of Guam**

- Discussions revealed the locations of the District Court of Guam to be:
  - 1) Old Guam Legislature Building in Hagatna across from the Cathedral.
  - 2) Courts of Guam Building or the Island Court of Guam Building in Hagatna. on corner of Route 4 and West O'Brien Street. The District Court was located on the second floor of the building.
  - 3) Pacific Daily News (PDN) Building (now DNA Building) on the sixth floor.
  - 4) 520 West O'Brien Drive, Hagatna, 3<sup>rd</sup> and 4<sup>th</sup> Floors.

#### **D. Past Events of the District Court of Guam**

- The Chair mentioned that he remembered seeing a sign which their office had found and thought to be one of the protestors of the Bordallo case. He thinks the office may still have it.
- A question to be asked was suggested when conducting the interviews was: "Where were you when Bordallo shot himself?". Elaine informed that she was in Okinawa at the time, while her husband was being stationed there.
- Galo reminisced that everyday of the Bordallo trial, from the elevator windows, you can see supporters at the sidewalks by the Academy of our Lady School; people are saying the rosary. He added that Rosie was the courtroom deputy but Judge Duenas asked that Galo handle the trial. Galo then stated that the administrative process involved in that trial was big time, it was awesome just trying to get a jury for that trial; and when a verdict came the jurors were so emotional, they were crying, some jurors required counseling.

- Galo also mentioned that Judge Duenas asked him handle the land claims trial. The Chair stated that it was Eric Gould was the last person involved with the land claims case, which is still open. Galo remembered that the case involved \$50 Million to be deposited in a bank awaiting disbursement to land claimants. He was the Financial Deputy at the time; that he called Washington DC for guidance; He was told to find out which bank on Guam was able to give the highest interest; that he was able to get 12% passbook interest, enough to pay the attorneys. The class action suit lead attorney was Mr. John Bohn. He added it was then that Priscilla Quichocho was hired to assist with the disbursement of the land claims, having worked with the Bank of America for 10 years.
- Elaine revealed that in John Unpingco's court she remembered a comment that the judge made in the Gutierrez contested election case, where neither party had a majority.
- Elaine also commented on a Angel Santos case which affected her was when a threat was made by him, Santos, the defendant, to the federal judicial employees and remembers being escorted out to her vehicle.
- The Chair also described some events of the Angel Santos case regarding property he claimed to own close to Andersen Air Force Base; that Angel was being so defensive, stating to back off and his wanting to be hit; that Judge John Unpingco at the time ordered Angel to stay off the Andersen property which Santos defied the judge's order; and that when he saw there were no marshals, Angel became more belligerent.
- Further, the chair described how Angel came to the U.S. Attorney's Office and demanded to be arrested, violating the court order. When he was cuffed and placed in jail and awaiting an initial appearance hearing, he demanded a press conference in jail. Dah, you do not get press conferences while in jail awaiting an initial appearance hearing. Angel Santos was a U.S. Air Force veteran with several children, one daughter with generic illness; was honorably medically discharged.
- Elaine also saved a quote from Angel Santos, and stated that the Angel Santos case was one in a million events that impacted her while with the U.S. Marshals office, such as the Sonny Shelton case. (Elaine Gogue is a candidate for an oral interview.)

**Action Item:**

**Former U.S. Marshal Joaquin Salas should be interviewed as well.** Elaine mentioned that Mr. Salas will be on Guam during the summer months.

**E. \*View of Display Cases:** Before adjourning the meeting, the committee members proceeded to the library on the first floor of the courthouse building where the display cases are temporarily located.

Comments upon viewing were that: It is a start having some display cases to work with; that with a little creativity in covering the brand on the frames, it would also work.

**IV. ADJOURNMENT.** The meeting adjourned at approximately 4:30 p.m.  
**The Next Meeting was scheduled for August 28, 2013 @ 3:00 p.m**

Recorded by: Lolita Toves, JA/Secretary, JH&ASG  
Approval Pending: