

1 or attempt to cause bodily injury to another, *that is: GPD Officer Leanson-Michael Skilling -*
2 *ID#4063*, a peace officer who was performing his official duties as a peace officer when **BERNIE**
3 **PAUL** knew or should have known he was a peace officer, a violation of 9 GCA § 19.30(b)(1) and
4 (2).

5
6 **NOTICE:**
7 *Commission of a Felony While on Felony Release*

8 In the commission of the above offense, the Defendant, **BERNIE PAUL**
9 committed the above felony offense while he was on release pursuant to Chapter 40,
10 Title 8, Guam Code Annotated, on pending felony charges, *to wit: Assault on a*
11 *Peace Officer (As a Third Degree Felony) 2 Counts*, in violation of 9 GCA §
12 19.30(a)(1) and (b)(1), filed under Superior Court of Guam Criminal Case No.
13 **CF0533-21**, within the meaning of 9 GCA § 80.37.1.

14
15 **SECOND CHARGE**

16 On or about the 22nd day of October, 2021, in Guam, **BERNIE PAUL** did commit the
17 offense of *Disarming of a Peace Officer (As a Third Degree Felony)*, in that he did intentionally
18 remove or attempt to remove a firearm, used in the performance of his official duties from the person
19 of a peace officer, *to wit: GPD Officer Leanson-Michael Skilling - ID#4063*, while said officer was
20 acting within the scope of his official duties, in violation of 9 GCA § 55.40(a)(1) and (c).

21
22 **NOTICE:**
23 *Commission of a Felony While on Felony Release*

24 In the commission of the above offense, the Defendant, **BERNIE PAUL**
25 committed the above felony offense while he was on release pursuant to Chapter 40,
26 Title 8, Guam Code Annotated, on pending felony charges, *to wit: Assault on a*
27 *Peace Officer (As a Third Degree Felony) 2 Counts*, in violation of 9 GCA §
28

1 19.30(a)(1) and (b)(1), filed under Superior Court of Guam Criminal Case No.
2 CF0533-21, within the meaning of 9 GCA § 80.37.1.

3
4 **THIRD CHARGE**

5 On or about the 22nd day of October, 2021, in Guam, **BERNIE PAUL** did commit the
6 offense of *Resisting Arrest (As a Misdemeanor)*, in that, with the intent to prevent or delay the arrest
7 of himself, by *GPD Officer Leanson-Michael Skilling - ID#4063*, whom he knew or reasonably
8 should have known to be a peace officer acting in an official capacity, he prevented or delayed that
9 arrest by the use or threat of force or physical obstruction, in violation of 9 GCA § 55.35, as
10 amended.

11
12 **FOURTH CHARGE**

13 On or about the 22nd day of October, 2021, in Guam, **BERNIE PAUL** did commit the
14 offense of *Criminal Trespass (As a Petty Misdemeanor)*, when, knowing that he was not licensed
15 or privileged to do so, he did enter or remain in any place as to which notice against trespass was
16 give by actual communication to the defendant, in violation of 9 GCA § 37.30(b)(1), as amended.

17
18 Dated this day, Monday, October 25, 2021.

19
20 **OFFICE OF THE ATTORNEY GENERAL**
21 **LEEVIN TAITANO CAMACHO**, Attorney General of Guam

22 

23 **STEVEN J. HADERLIE**
24 Assistant Attorney General, Prosecution Division

IN THE SUPERIOR COURT OF GUAM
DECLARATION

I, STEVEN J. HADERLIE, Assistant Attorney General, aver upon information and belief that this declaration is true. I have reviewed Guam Police Report No. 21-26026, submitted by GPD Officer L. Skilling and others. The reports state that these events occurred on Guam:

On or about October 22, 2021 at about 10:27 a.m. police arrived at World Market in Toto and spoke with a store employee, Allyne Ingail, and her boss, Gangso Han. They told police that they had repeatedly told BERNIE PAUL to leave the store that morning. PAUL would refuse at times or leave but shortly return. He would walk around the store asking customers to buy him beer and other items. Police also told PAUL to leave the store, but PAUL refused.

Finally, GPD Officer Leanson M. Skilling grabbed PAUL's wrist and again instructed him to leave the store. Instead, PAUL punched Officer Skilling in the face with a closed fist causing Skilling to have a cut, swollen lip. A scuffle ensued as police attempted to arrest PAUL and pull PAUL to the ground. PAUL fought back and repeatedly resisted. As a result, Officer Skilling received a one-inch laceration to his elbow.

As police tried to pull PAUL to the ground, PAUL placed both of his hands on police's duty firearm and attempted to pull it from the holster. PAUL put his finger in the trigger well of the gun and said, "I got you covered!" Police managed to keep PAUL from obtaining the gun.

Police noted that PAUL had bloodshot, watery eyes, slurred speech, and a strong odor of an intoxicating beverage emitting from his person and breath.

It appears that one day earlier on October 21, 2021, PAUL appeared at a magistrate hearing in which he was charged with two counts of Assault Against a Peace Officer in CF0533-21. The court released PAUL that day on a \$5,000 personal recognizance bond and house arrest. At that time, the court also ordered PAUL not to drink alcohol, not to have firearms, and to obey all laws.

Based on the foregoing, there is probable cause to charge BERNIE PAUL with the following:

- One count of ASSAULT ON A PEACE OFFICER (As a Third Degree Felony), in violation of 9 GCA § 19.30 (b)(1) and (2);
 - A Notice of Commission of a Felony While on Felony Release, in violation of 9 GCA § 80.37.1.
- One count of DISARMING OF A PEACE OFFICER (As a Third Degree Felony), in violation of 9 GCA § 55.40(a)(1) and (c);
 - A Notice of Commission of a Felony While on Felony Release, in violation of 9 GCA § 80.37.1.
- One count of RESISTING ARREST (As a Misdemeanor), in violation of 9 GCA § 55.35; and
- One count of CRIMINAL TRESPASS (As a Petty Misdemeanor), in violation of 9 GCA § 37.30(b)(1).

Executed this 25 day of October, 2021.



STEVEN J. HADERLIE