



FILED  
SUPERIOR COURT  
OF GUAM

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CLERK OF COURT

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**IN THE SUPERIOR COURT OF GUAM  
HAGÁTÑA, GUAM**

CM 0409-21

PEOPLE OF GUAM,

) S.C. Criminal Case No.: CM  
) GPD Police Report No.: 21-25462

vs.

) Charges:

**BENJAMIN GUSTAV MENO,**  
DOB: 08/14/1991

) 1) **FOURTH DEGREE CRIMINAL  
SEXUAL CONDUCT**  
(As a Misdemeanor) 2 Counts

Defendant.

) 2) **CHILD ABUSE**  
(As a Misdemeanor)

) 3) **HARASSMENT**  
(As a Petty Misdemeanor) 2 Counts

**MAGISTRATE'S COMPLAINT**

The Attorney General of Guam hereby accuses **BENJAMIN GUSTAV MENO** of certain crimes committed as follows:

**FIRST CHARGE**

**Count One**

On or about the 15<sup>th</sup> day of October, 2021, in Guam, **BENJAMIN GUSTAV MENO** did commit the offense of *Fourth Degree Criminal Sexual Conduct (As a Misdemeanor)*, when he did

**ORIGINAL**

1 intentionally engage in sexual contact with another, to wit: touching the primary genital area of *C.W.*  
2 (*DOB: 02/28/2004*) and **BENJAMIN GUSTAV MENO** knew or had reason to know that *C.W.*  
3 (*DOB: 02/28/2004*) was physically helpless, in violation of 9 GCA § 25.30(a)(2).  
4

5 **Count Two**

6 On or about the 15<sup>th</sup> day of October, 2021, in Guam, **BENJAMIN GUSTAV MENO** did  
7 commit the offense of *Fourth Degree Criminal Sexual Conduct (As a Misdemeanor)*, when he did  
8 intentionally engage in sexual contact with another, to wit: touching the breast of *C.W.* (*DOB:*  
9 *02/28/2004*) and **BENJAMIN GUSTAV MENO** knew or had reason to know that *C.W.* (*DOB:*  
10 *02/28/2004*) was physically helpless, in violation of 9 GCA § 25.30(a)(2).  
11

12 **SECOND CHARGE**

13 On or about the 15<sup>th</sup> day of October, 2021, in Guam, **BENJAMIN GUSTAV MENO** did  
14 commit the offense *Child Abuse (As a Misdemeanor)*, in that while having a child, *C.W.* (*DOB:*  
15 *02/28/2004*), in his care or custody or under his control, he unreasonably caused or permitted the  
16 physical or emotional health of that child to be endangered, in violation of 9 GCA § 31.30 (a)(2)(C).  
17

18 **THIRD CHARGE**

19 **Count One**

20 On or about the 15<sup>th</sup> day of October, 2021, in Guam, **BENJAMIN GUSTAV MENO** did  
21 commit the offense of *Harassment (As a Petty Misdemeanor)* in that, with intent to harass another,  
22 namely, *C.W.* (*DOB: 02/28/2004*), subjected or threatened to subject her to striking, kicking, shoving  
23 or other offensive touching, in violation of 9 GCA § 61.20(b).  
24

25 **Count Two**

26 On or about the 15<sup>th</sup> day of October, 2021, *at a time different from Charge Three, Count One,*  
27 in Guam, **BENJAMIN GUSTAV MENO** did commit the offense of *Harassment (As a Petty*  
28

1 **Misdemeanor**) in that, with intent to harass another, namely, **C.W. (DOB: 02/28/2004)**, subjected  
2 or threatened to subject her to striking, kicking, shoving or other offensive touching, in violation of  
3  
4 9 GCA § 61.20(b).

5 Dated this day, Tuesday, October 26, 2021.

6 **OFFICE OF THE ATTORNEY GENERAL**  
7 **LEEVIN TAITANO CAMACHO, Attorney General**

8 

9 **CHRISTINE SANTOS TENORIO**  
10 Assistant Attorney General, Prosecution Division

**IN THE SUPERIOR COURT OF GUAM**  
**DECLARATION**

I, CHRISTINE SANTOS TENORIO, a duly appointed Assistant Attorney General, aver upon information and belief that the following declaration is true. I have reviewed Guam Police Report 21-25462 submitted by P.O. San Nicolas and others, which revealed the following occurred in Guam:

On or about October 16, 2021, at approximately 2:20 p.m., officers of the Guam Police Department responded to a walk-in criminal sexual conduct complaint at Tumon Tamuning Precinct Command. Officers met with a 17-year-old female, C.W. (DOB 02/28/2004) ("Victim"), who indicated that she was sexually assaulted by **BENJAMIN GUSTAV MENO** ("Defendant"), a 30-year-old male known to her.

On or about October 15, 2021, at approximately 7:00 p.m., the Victim went to a Tamuning hotel, intending to hang out with the Defendant's younger sister. While the Victim was waiting for the Defendant's sister to arrive, the Defendant offered the Victim multiple alcoholic beverages. The Victim consumed multiple alcohol shots and mixed drinks. The Victim began to feel dizzy and asked the Defendant for water. The Defendant refused to give her water. The Victim then vomited on the floor. The Victim again asked the Defendant for water, and the Defendant refused to give her water.

The Victim went to the bathroom to throw up, and the Defendant followed her. While the Victim was hunched over the toilet, the Victim felt the Defendant touch her breasts. The Victim proceeded to lay down on the bed. The Victim then felt her legs and vagina being touched, but the Victim felt paralyzed and could not move. Shortly thereafter, the Victim then felt the Defendant grope her breast again. The Victim then realized that she was only in her tank top and underwear and that the Defendant was in his underwear. The Victim asked what happened, and the Defendant said, "We were just practicing." At approximately 2:00 a.m., on October 16, 2021, the Victim then sent her location to an aunt, telling her aunt that she needed help.

The Defendant then dropped the Victim to her aunt's house. The Defendant told the Victim, "Whatever happened tonight stays between us." Later that morning, the Victim awoke, feeling pain to her vagina.

Based on the foregoing, there is probable cause to charge **BENJAMIN GUSTAV MENO** with:

1. Two counts of **FOURTH DEGREE CRIMINAL SEXUAL CONDUCT** (as a Misdemeanor), in violation of 9 GCA § 25.30 (a)(2);
  - a. touching the primary genital area of C.W. (DOB 02/28/2004)
  - b. touching the breast of C.W. (DOB 02/28/2004)
2. **CHILD ABUSE** (as a Misdemeanor), in violation of 9 GCA § 31.30 (a)(2)(C);
3. Two counts of **HARASSMENT** (as a Petty Misdemeanor), in violation of 9 GCA § 61.20(a)(b).

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on this 26<sup>th</sup> day of October, 2021.

  
\_\_\_\_\_  
**CHRISTINE SANTOS TENORIO**  
Assistant Attorney General