

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES

SESSION, 2021

H. Res. 22-14

A HOUSE RESOLUTION

Impeaching Ralph Deleon Guerrero Torres, Governor of the Commonwealth of the Northern Mariana Islands, pursuant to Article II, Section 8 of the Constitution of the Commonwealth for commission of felonies, corruption, and neglect of duty, in violation of Article III, Section 19 of the Constitution of the Commonwealth.

1 **WHEREAS**, Article II, Section 8 of the Constitution of the Commonwealth
2 of the Northern Mariana Islands, titled “Impeachment,” provides in relevant part
3 that “[t]he legislature may impeach those executive officers of the Commonwealth
4 subject to impeachment under this Constitution. The house of representatives may
5 initiate impeachment proceedings by the affirmative vote of two-thirds of its
6 members and the senate may convict after hearing by the affirmative vote of two-
7 thirds of its members”; and

8 **WHEREAS**, Article III, Section 19 of the Constitution of the
9 Commonwealth of the Northern Mariana Islands, titled “Impeachment,” provides
10 in relevant part that the governor is “subject to impeachment as provided in article
11 II, section 8, of this Constitution for treason, commission of a felony, corruption or
12 neglect of duty”; and

1 **WHEREAS**, the House of Representatives adopted House Resolution 22-
 2 1 on January 11, 2021, thereby establishing the Judiciary and Governmental
 3 Operations Committee (“JGO”) as both a standing and investigatory committee that
 4 was authorized, by Article II, Section 14 (b) of the CNMI Constitution, “to compel
 5 the attendance and testimony of witnesses,” by Title 1, Section 1301 et seq., of the
 6 Commonwealth Code, “to issue subpoenas requiring the attendance of witnesses
 7 and subpoenas duces tecum requiring the production of books, documents, and
 8 other evidence, in any matter pending before either house or a committee,” and by
 9 House Rule VII, Section 3, to summon and examine witnesses, search and examine
 10 records, and provide that “everything shall be done to bring all facts pertaining to
 11 the matter before the House”; and

12 **WHEREAS**, House Rule VII, Section 3 provides that “[e]ach committee of
 13 the House is . . . authorized to study and analyze all facts relating to the subject
 14 which would fall within its jurisdiction as indicated by the Rules, including
 15 necessary revision of existing laws, other legislation relating to such subjects,
 16 investigate the need for legislation in a particular area, and to oversee activities
 17 carried out pursuant to laws regarding such subjects, and for such purposes shall
 18 constitute an investigating committee,” and Speaker Edmund S. Villagomez on
 19 June 3, 2021, referred to the JGO a memorandum “to review and conduct any and
 20 all investigations relating to” House Communication 22-19, “Report on the Public
 21 Expenditures of Governor Ralph Deleon Guerrero Torres: Violations of Law, Areas

1 of Abuse, and Recommendations for Oversight and Reform,” and the JGO
2 investigation pursuant to that referral brought to light further evidence of the
3 Governor’s waste and abuse of public funds;

4 **NOW, THEREFORE, BE IT RESOLVED** that Ralph Deleon Guerrero
5 Torres, Governor of the Commonwealth of the Northern Mariana Islands, is hereby
6 impeached pursuant to Article II, Section 8 of the Constitution of the
7 Commonwealth of the Northern Mariana Islands for the commission of felonies,
8 corruption, and neglect of duty, in violation of Article III, Section 19 of the
9 Constitution of the Commonwealth of the Northern Mariana Islands, and that the
10 following articles of impeachment be exhibited to the Commonwealth Senate for
11 trial; and

12 **BE IT FURTHER RESOLVED** that the Speaker of the House of
13 Representatives shall certify, and the House Clerk shall attest, to the adoption of
14 this resolution and thereafter the House Clerk shall transmit a certified copy to the
15 Honorable Jude U. Hofschneider, Senate President, the 22nd Northern Marianas
16 Commonwealth Legislature, and Ralph Deleon Guerrero Torres, Governor,
17 Commonwealth of the Northern Mariana Islands.

18 These articles of impeachment are hereby exhibited, debated and adopted
19 by the House of Representatives of the Commonwealth of the Northern Mariana
20 Islands in the name of itself and of the people of the Commonwealth of the Northern
21 Mariana Islands, against Ralph Deleon Guerrero Torres, Governor of the

1 Commonwealth of the Northern Mariana Islands, in support of its impeachment
2 against him for commission of felonies, corruption, and neglect of duty.

3 **ARTICLE I: COMMISSION OF FELONY**

4 **THEFT OF UTILITY SERVICES**

5 In his conduct while Governor of the Commonwealth of the Northern
6 Mariana Islands, Ralph Deleon Guerrero Torres, in violation of his constitutional
7 oath to faithfully discharge his duties as Governor and, to the best of his ability
8 support and defend the Constitution and laws of the Commonwealth of the Northern
9 Mariana Islands, and in violation of his constitutional responsibility to faithfully
10 execute the laws, has willfully committed a felony against the Commonwealth of
11 the Northern Mariana Islands, to wit:

12 Ralph Deleon Guerrero Torres utilized his position as Governor of the
13 Commonwealth of the Northern Mariana Islands to commit Theft of Utility
14 Services in violation of Title 6, Section 1609 of the Commonwealth Code, by
15 unjustly and without legal authorization obtaining in excess of \$177,000.00 in
16 taxpayer-funded utility benefits from the Commonwealth Utilities Corporation for
17 his privately-owned residences during the period February 2015 through August
18 2021, to include exorbitant utility expenses associated with the commercial piggery
19 that was operating on his residential property, and further requested and received
20 unjust utility benefits for at least two residences at the same time, in As Teo and in
21 Koblerville, for a period of approximately 16 months. Theft of Utility Services in

excess of \$20,000.00 is punishable pursuant to Title 6, section 1609(d)(1) of the Commonwealth Code, by imprisonment of not more than 10 years and a fine of not more than \$10,000.00, or both. Even assuming *arguendo* that Governor Torres was authorized to receive the benefit of taxpayer-paid utilities at his private estate pursuant to the Department of Finance's interpretation of Title 1, Section 8222 of the Commonwealth Code, which provides for government housing for the Governor and other key elected officials, the law does not explicitly authorize the payment of utilities at said properties. Furthermore, no law nor any regulation or policy of the Department of Finance provides the taxpayer-funded benefit of utilities at two or more residential properties or multiple accounts at the same time for any elected official.

Wherefore, Ralph Deleon Guerrero Torres, by such conduct warrants impeachment and trial, and removal from office and disqualification to hold and enjoy any office of honor or trust of the Commonwealth of the Northern Mariana Islands.

ARTICLE II: COMMISSION OF FELONY

THEFT

In his conduct while Governor of the Commonwealth of the Northern Mariana Islands, Ralph Deleon Guerrero Torres, in violation of his constitutional oath to faithfully discharge his duties as Governor and, to the best of his ability support and defend the Constitution and laws of the Commonwealth of the Northern

1 Mariana Islands, and in violation of his constitutional responsibility to faithfully
2 execute the laws, has willfully committed multiple felonies against the
3 Commonwealth of the Northern Mariana Islands, to wit:

4 *Count 1.* Ralph Deleon Guerrero Torres, between April 28, 2018 to May 8,
5 2018, utilized his position as Governor of the Commonwealth of the Northern
6 Mariana Islands to commit Theft in violation of Title 6, Section 1601(a) of the
7 Commonwealth Code, by unlawfully and fraudulently taking public funds to obtain
8 airfare, stipend, and lodging to attend a political campaign event in the State of
9 Oregon on or about April 30, 2018. Governor Torres' trip to attend a campaign rally
10 in Oregon, which included first-class and business-class airfare for himself and his
11 spouse, Mrs. Diann Tudela Torres, as well as one day of stipend and a one-night
12 stay in a hotel on or about April 29, 2018 to April 30, 2018, cost CNMI taxpayers
13 approximately \$16,559.41.

14 *Count 2.* Ralph Deleon Guerrero Torres, between June 22, 2018 to June 24,
15 2018, utilized his position as Governor of the Commonwealth of the Northern
16 Mariana Islands to commit Theft in violation of Title 6, Section 1601(a) of the
17 Commonwealth Code, by unlawfully and fraudulently taking public funds to obtain
18 airfare, stipend, and lodging to attend a political campaign event in the Territory of
19 Guam on or about June 23, 2018. Governor Torres' trip to attend a campaign rally
20 on Guam, which included business-class airfare, one day of stipend, and a one-night

1 stay in a hotel on or about June 23, 2018 to June 24, 2018, cost CNMI taxpayers
2 approximately \$6,036.70.

3 *Count 3.* Ralph Deleon Guerrero Torres, on or about September 15, 2017 in
4 the Commonwealth of the Northern Mariana Islands, on the island of Saipan,
5 utilized his position as Governor of the Commonwealth of the Northern Mariana
6 Islands to commit Theft in violation of Title 6, Section 1601(a) of the
7 Commonwealth Code, by unlawfully taking public funds to reimburse himself for
8 fuel in the amount of \$919.10 that he fraudulently claimed was for the benefit of a
9 Department of Public Safety vessel. Evidence obtained from testimony made under
10 oath during the JGO investigatory hearings revealed that DPS vessels routinely
11 utilized for the Governor's personal security detail are refueled at Shell gas station
12 in Puerto Rico and there was no evidence found to support the notion that that the
13 Governor personally refueled any DPS vessels at that or any time at a Mobil gas
14 station.

15 *Count 4.* Ralph Deleon Guerrero Torres, on or about September 15, 2017 to
16 September 17, 2017, in the Commonwealth of the Northern Mariana Islands, on the
17 island of Rota, utilized his position as Governor of the Commonwealth of the
18 Northern Mariana Islands to commit Theft in violation of Title 6, section 1601(a)
19 of the Commonwealth Code, by unlawfully and fraudulently taking public funds to
20 obtain reimbursement for himself for lodging expenses totaling \$690.00. These
21 expenses included a room under the name of Governor Torres, despite his having

1 received a per diem to cover such expenses; a room under the name of his wife,
2 Mrs. Diann Tudela Torres, a non-government employee; and a room under the
3 name of police officer Adrian Mendiola, who subsequently testified under oath that
4 he had received a per diem for this trip and used it to pay for his own lodging.

5 Each Theft is punishable pursuant to Title 6, Section 1601(b)(2) of the
6 Commonwealth Code by imprisonment of up to five years.

7 Wherefore, Ralph Deleon Guerrero Torres, by such conduct warrants
8 impeachment and trial, and removal from office and disqualification to hold and
9 enjoy any office of honor or trust of the Commonwealth of the Northern Mariana
10 Islands.

11 **ARTICLE III: CORRUPTION**

12 **UNLAWFUL FIRST-CLASS AND BUSINESS-CLASS TRAVEL**

13 In his conduct while Governor of the Commonwealth of the Northern
14 Mariana Islands, Ralph Deleon Guerrero Torres, in violation of his constitutional
15 oath to faithfully discharge his duties as Governor and, to the best of his ability
16 support and defend the Constitution and laws of the Commonwealth of the Northern
17 Mariana Islands, and in violation of his constitutional responsibility to faithfully
18 execute the laws, has willfully engaged in corruption, in that he committed multiple
19 acts against the interests of the Commonwealth of the Northern Mariana Islands,
20 with the intent to give some advantage inconsistent with his duties of office and the
21 rights of others, to wit:

1 Ralph Deleon Guerrero Torres, between January 2016 through December
2 2019, utilized his position as Governor of the Commonwealth of the Northern
3 Mariana Islands to cause at least 54 first-class and/or business-class airline tickets
4 to be furnished to himself and/or his spouse, Mrs. Diann Tudela Torres, a non-
5 government employee, in violation of Title 1, Section 7407 of the Commonwealth
6 Code, which is punishable pursuant to Title 1, Section 7407(f) of the
7 Commonwealth Code, by a civil penalty of \$1,000.00 per violation. Further, in
8 requesting and approving Mrs. Torres' travel at government expense, Governor
9 Torres used his position in violation of Title 1, Section 3202 of the Commonwealth
10 Code, Misconduct in Office; Title 1, Section 7705, Public Purpose Requirement;
11 and Department of Finance regulations at Title 70, Chapter 70-20.1-101(b) of the
12 Northern Marianas Administrative Code, which prohibit the use of public funds for
13 non-public purposes, including travel expenditures for non-government employees.

14 Wherefore, Ralph Deleon Guerrero Torres, by such conduct warrants
15 impeachment and trial, and removal from office and disqualification to hold and
16 enjoy any office of honor or trust of the Commonwealth of the Northern Mariana
17 Islands.

18 **ARTICLE IV: CORRUPTION**

19 **MISUSE OF GOVERNMENT RESOURCES**

20 In his conduct while Governor of the Commonwealth of the Northern
21 Mariana Islands, Ralph Deleon Guerrero Torres, in violation of his constitutional

1 oath to faithfully discharge his duties as Governor and, to the best of his ability
2 support and defend the Constitution and laws of the Commonwealth of the Northern
3 Mariana Islands, has willfully engaged in corruption, in that he committed multiple
4 acts against the interests of the Commonwealth of the Northern Mariana Islands,
5 with the intent to give some advantage inconsistent with his duties of office and the
6 rights of others, to wit:

7 *Count 1.* Ralph Deleon Guerrero Torres, on or about December 2015
8 through December 2019, utilized his position as Governor of the Commonwealth
9 of the Northern Mariana Islands, to unlawfully and fraudulently request and obtain
10 reimbursements for expenditures that include lavish hostings of individuals both
11 named and unnamed, such as one dinner with a Washington, DC lobbyist that cost
12 taxpayers \$1,823.90, and a single breakfast that cost more than \$399.00; a car
13 battery for Governor Torres' personal van for which he subsequently transferred
14 ownership; meals featuring extravagant items such as wagyu and bison tomahawk
15 steak, king crab, prime rib, and foie gras; expensive scotch whiskey and other
16 alcohol; a private birthday lunch that he claimed as a meeting; and various items
17 for a non-public purpose that he claimed as office expenses, such as rifle cases, a
18 personal stove burner, beef stroganoff and other goods for hunting or camping;
19 wheelbarrow, chainsaw, mattocks, and other hardware supplies; coolers; and
20 multiple electronics, including cameras, headphones, and computers, items that
21 were not properly inventoried at the Office of the Governor nor used for public

1 purposes. These excessive expenditures lacked sufficient justification, were made
2 during times of natural disaster, austerity, and furloughs, and exceeded \$78,000.

3 *Count 2.* Ralph Deleon Guerrero Torres, between May 27, 2017 and July
4 11, 2021, utilized his position as Governor of the Commonwealth of the Northern
5 Mariana Islands, to request and/or approve 85 boating trips using scarce
6 Department of Public Safety resources, including personnel, vessels, vehicles, fuel,
7 and public funds, in a manner inconsistent with public purposes. Many of these
8 boating trips were for fishing or recreation with members of Governor Torres'
9 family, to the Northern Islands, Tinian, Rota, Managaha, and Guam, during times
10 of natural disaster, austerity, furloughs, and pandemic.

11 These acts of corruption constitute violations of Title 1, Section 8531 of the
12 Commonwealth Code, Use of Office, Staff or Employees of Public Office; Title 1,
13 Section 8532 of the Commonwealth Code, Restraints on Use of Public Position to
14 Obtain Private Benefit; Title 1, Section 7705 of the Commonwealth Code, Public
15 Purpose Requirement; and Title 6, Section 3202, Misconduct in Office.

16 Wherefore, Ralph Deleon Guerrero Torres, by such conduct warrants
17 impeachment and trial, and removal from office and disqualification to hold and
18 enjoy any office of honor or trust of the Commonwealth of the Northern Mariana
19 Islands.

20 **ARTICLE V: NEGLECT OF DUTY**

21 **NEGLIGENCE DURING CRISIS**

1 While Governor of the Commonwealth of the Northern Mariana Islands,
2 Ralph Deleon Guerrero Torres, in violation of his constitutional oath to faithfully
3 discharge his duties as Governor, and in violation of his constitutional duty to take
4 care that the laws be faithfully executed, has willfully neglected the duties of his
5 office, to wit:

6 Ralph Deleon Guerrero Torres, between December 2015 and July 2021,
7 grossly neglected his duties and responsibilities as Governor of the Commonwealth
8 of the Northern Mariana Islands, by taking over 120 trips by plane for himself
9 and/or his spouse, Mrs. Diann Tudela Torres, a non-government employee, and
10 approximately 85 trips by boat. This dereliction of duty occurred during times of
11 natural disaster, austerity, furloughs, and pandemic. In one year following Super
12 Typhoon Yutu, Governor Torres and Mrs. Torres took at least 16 government-
13 funded trips, during which time Governor Torres neglected his duties of office
14 while dining and shopping extravagantly at taxpayer expense. Commonwealth
15 residents meanwhile suffered without adequate shelter, power, or running water and
16 struggled to rebuild their lives and homes.

17 In the summer of 2020, in the midst of the Covid-19 pandemic, after the
18 local economy ground to a halt and thousands of residents in the public and private
19 sectors lost work, Governor Torres further neglected his duties when he embarked
20 on a three-week fishing and hunting promotional expedition to the Northern Islands
21 with his family and friends. Instead of addressing the ongoing public health

1 emergency, Governor Torres negligently directed various government agencies to
2 procure charter boats, meals, fuel, and other supplies, and utilized police officers
3 and other government personnel, and government vessels, vehicles, generators, and
4 other equipment and materials.

5 In total, these numerous and excessive trips by air and by sea, directed
6 and/or authorized by Governor Torres over nearly six years, cost CNMI taxpayers
7 over \$550,000.00. This amount includes airfare, lodging, ground transportation,
8 fuel, per diem and stipends, and other supplies, but does not encompass all the
9 travel-related expenses of protective security officers and other government
10 employees who accompanied Governor Torres and his family members on these
11 trips. This amount also does not include the cost of Governor Torres' negligent
12 conduct to the safety and welfare of the people of the Commonwealth in times of
13 crisis.

14 Wherefore, Ralph Deleon Guerrero Torres, by such neglect of duty warrants
15 impeachment and trial, and removal from office and disqualification to hold and
16 enjoy any office of honor or trust of the Commonwealth of the Northern Mariana
17 Islands.

18 **ARTICLE VI: NEGLECT OF DUTY**

19 **CONTEMPT OF THE LEGISLATURE**

20 While Governor of the Commonwealth of the Northern Mariana Islands,
21 Ralph Deleon Guerrero Torres, in violation of his constitutional oath to faithfully

1 discharge his duties as Governor and in violation of his constitutional duty to take
2 care that the laws be faithfully executed, has willfully neglected the duties of his
3 office, to wit:

4 Governor Ralph Deleon Guerrero Torres, having a duty to honor and respect
5 the Commonwealth of the Northern Mariana Islands Constitution, the laws of the
6 Commonwealth, and the applicable Rules of the Twenty Second House of
7 Representatives, breached said duty by failing to appear as commanded on
8 December 10, 2021 at 10:30 am by a legislative subpoena duly served upon him
9 and constitutionally authorized by Article II Section 14 (b) of the Commonwealth
10 of the Northern Mariana Islands Constitution, and Title 1, Sections 1301 et seq. of
11 the Commonwealth Code, before the House Standing Committee on Judiciary and
12 Governmental Operations. Said failure to appear was adjudged to be in contempt
13 of the Legislature pursuant to Title 1, Section 1306 (b) of the Commonwealth Code
14 by a unanimous vote of the House Standing Committee on Judiciary and
15 Governmental Operations on December 14, 2021, after Governor Torres failed to
16 cure his contempt by refusing an invitation to testify under oath voluntarily
17 pursuant to Title 1, Section 1309 of the Commonwealth Code and cooperate with
18 the investigatory committee's attempt to obtain information by lawful means. The
19 House Speaker certified the contempt charge to the CNMI Office of the Attorney
20 General on December 15, 2021 for prosecution.

22-14

Wherefore, Ralph Deleon Guerrero Torres, by such neglect of duty warrants
impeachment and trial, and removal from office and disqualification to hold and
enjoy any office of honor or trust of the Commonwealth of the Northern Mariana
Islands.


DEMAND FOR IMPEACHMENT

6 Wherefore, Ralph Deleon Guerrero Torres, by commission of felonies,
7 corruption, and neglect of duty, having undermined the integrity of his office and
8 brought disrepute on the Governorship, having betrayed the trust of those he swore
9 to serve, having acted in a manner subversive of the rule of law and justice, to the
10 manifest injury of the people of the Commonwealth of the Northern Mariana
11 Islands, legally warrants impeachment and trial, and removal from office and
12 disqualification to hold and enjoy any office of honor or trust of the Commonwealth
13 of the Northern Mariana Islands.


Prefiled: 12/17/2021

Date: 17 Dec 21

Introduced by:


Rep. Celina R. Babauta

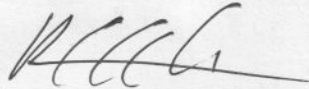
Rep. Edmund S. Villagomez


Rep. Blas Jonathan "BJ" T. Attao

Rep. Ralph N. Yumul

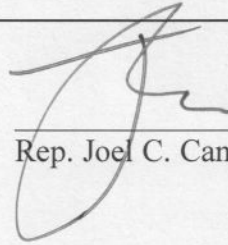
Rep. Roy A. Ada

Rep. Sheila J. Babauta



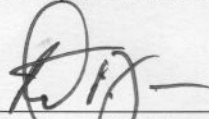
Rep. Vicente C. Camacho

Rep. Joel C. Camacho



Rep. Angel A. Demapan

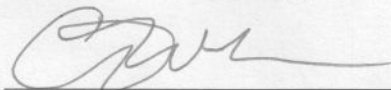
Rep. Joseph A. Flores



Rep. Richard T. Lizama

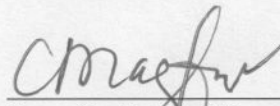


Rep. Donald M. Mangloria



Rep. Christina E. Sablan

Rep. Joseph Lee Pan T. Guerrero



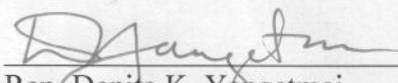
Rep. Corina L. Magofna



Rep. Edwin K. Propst

Rep. John Paul P. Sablan

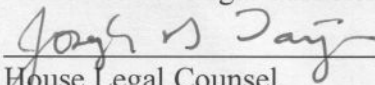
Rep. Patrick H. San Nicolas



Rep. Denita K. Yangetmai

Rep. Leila C. Staffler

Reviewed for Legal Sufficiency by:



House Legal Counsel