



**BEFORE THE  
CIVIL SERVICE COMMISSION  
BOARD OF COMMISSIONERS**



**IN THE MATTER OF:**

**ERIC S.N. SANTOS,**

**Employee,**

**vs.**

**DEPARTMENT OF CORRECTIONS,**

**Management.**

**ADVERSE ACTION APPEAL  
CASE NO.: 18-AA12S**

**ORDER AFTER HEARING**

This matter came before the Civil Service Commission (CSC) on May 19, 2022, for hearing on Administrative Law Judge's (ALJ's) Recommendations on Management's motions. Management appeared with Frank Leon Guerrero and his attorney, AAG Donna Lawrence. Employee appeared with his Lay Representative Robert Koss. Commissioners present were Chairman Juan K. Calvo, Vice

1 Chairman Anthony P. Benavente, Commissioner Priscilla T. Tuncap,  
2 Commissioner John Smith, and Commissioner Robert C. Taitano.

3 Administrative Law Judge, Eric D. Miller, read his recommendations into  
4 the record. The Commission heard arguments from the Parties.

5 1. Management moved to disqualify Daniel Del Priore, Lay Representative,  
6 for Employee. The ALJ recommended the motion be denied. The Commission  
7 voted 5 to 0 to accept the recommendation of the ALJ. MOTION DENIED.

8 2. Management moved to exclude certain Employee Witnesses. The ALJ  
9 made a list of witnesses to be allowed or disallowed:

10  
11 Witnesses allowed to testify:

12 Major A. Aguon  
13 R.C. Urquizu  
14 Lt. Aquino Eftino  
15 B.B. Flores  
16 P.C. Chinel

17 Witnesses not allowed to testify:

18 Heather Gogue  
19 Gilbert Gelang  
20 Officer J.I. Aguon  
Ronald S.N. Santos  
Sgt. M.S. Sablan  
Former Director Lamorena (already testified)  
Sgt. Usan (already testified)  
PO J.G. Poloo

1 Sgt. J.G. Quidachay  
2 Capt. Lizama  
3 PO1 Larry Lorenzo  
4 PO Jessica Sanchez  
5 PO Ian Del Resario [sic]  
6 PO1 M.F. Tudela  
7 Sgt. F. Cruz  
8 J.C. Reyes  
9 PO1 R.F. Sasaki  
10 PO1 J.A. Guzman  
11 R.M. Alingog  
12 Former Warden Crisostomo  
13 PO1 R.D. Leon Guerrero  
14 Inmate Matalona  
15 Daniel Roke

16 The Commission voted 4 to 1 (Commissioner Tuncap dissenting) to accept  
17 the recommendations of the ALJ.

18 3. There were motions to strike untimely exhibits and witness lists. The ALJ  
19 recommended denying all such motions. The Commission voted 4 to 1  
20 (Commissioner Tuncap dissenting) to accept the ALJ recommendations.  
MOTIONS DENIED.

4. There were motions to strike exhibits. ALJ recommended to let the  
Commission decide on exhibits at the hearing. The Commission voted 4 to 1  
(Commissioner Tuncap dissenting) to accept the recommendation of the ALJ.  
MOTIONS DENIED.

1           5. Management moved to require CSC to review the videos of the Merit  
2 Hearings before deliberation on the case. ALJ recommended the Commissioners  
3 review the videos. The Commission voted 5 to 0 to review the videos. MOTION  
4 GRANTED.

5           6. Management moved to correct the Decision and Order regarding the  
6 April 13, 2021 ALJ Hearing on Recommendations. ALJ recommended that the  
7 written Decision is correct. Commission voted 5 to 0 to accept the ALJ  
8 recommendation. MOTION DENIED.

9           7. Employee moved to dismiss on the grounds that Management failed to  
10 comply with an order allowing Guam Federation of Teachers (GFT) to interview  
11 two inmates. ALJ found Management did allow GFT to interview the Department  
12 of Corrections inmates. The Commission voted 5 to 0 to deny the motion.  
13 MOTION DISMISSED.

14           8. Employee moved to dismiss on the grounds that Management coerced  
15 witnesses. ALJ found no evidence of this allegation and recommended the motion  
16 be dismissed. The Commission voted 4 to 1 (Commissioner Tuncap dissenting) to  
17 accept the recommendations of the ALJ. MOTION DENIED.

18           9. Employee moved to sanction Management for deliberately misleading the  
19 CSC and the ALJ, and for filing untimely frivolous motions. The ALJ found

1 insufficient evidence to sanction either Party. The Commission voted 5 to 0 to  
2 accept ALJ's recommendation. MOTION DENIED.

3 **SO ORDERED THIS 14th day of July, 2022.**

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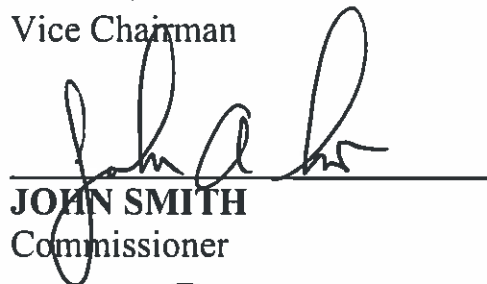
5 **JUAN K. CALVO**  
6 Chairman

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5 **ANTHONY P. BENAVENTE**  
6 Vice Chairman

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8 **PRISCILLA T. TUNCAP**  
9 Commissioner

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8 **JOHN SMITH**  
9 Commissioner

10 **ABSENT**

10 **ROBERT C. TAITANO**  
11 Commissioner

10 

10 **FRANCISCO T. GUERRERO**  
11 Commissioner