

PUBLIC INFORMATION. INFORMATION REQUIRED TO BE PLACED ON THE GUAM FAMILY VIOLENCE REGISTRY (This information SHALL be placed onto the public registry pursuant to 30.200(c))	
Full Name, to include Alias (30.200(c)(1))	Full Name: Clemente, Gregorio Alias, if any:
Date of Birth (30.200(c)(1))	08/29/1985
Person's last known address (30.200(c)(2))	122B, L&R Apartments Mangilao, Guam 96913
Physical description (30.200(c)(3))	Ht: 5'7; Wt: 200 lbs; Eyes: Brn Hair: Blk
Recent photograph of person (30.200(c)(3))	Photograph provided by: Guam Police Department
Classification of Offender: <u>Level 1:</u> Any person who on two occasions or more have been convicted of a family, domestic, or dating violence, and/or stalking offense <u>Level 2:</u> any person who is convicted of one offense of family, domestic, or dating violence, and the conviction is with the special allegation of the use of a deadly weapon, or an additional charge of criminal sexual conduct against a minor, or an additional charge of any sex offenses against a family member	Level 1
List of offenses for which person is convicted of two (2) or more cases of domestic violence, family or dating violence and/or stalking (30.200(c)(4))	Case Number: CM409-08 Offenses: Family Violence (As a Misdemeanor) Case Number: CM737-07 Offenses: Family Violence (As a Misdemeanor) Case Number: CM1117-12 Offenses: Family Violence (As a Misdemeanor)

	<p>Case Number: CF269-10 Offenses: Family Violence (As a 3rd Degree Felony)</p>
<p>The date of conviction for each offense (30.200(c)(4))</p>	<p>September 5, 2008 (CM409-08) September 5, 2008 (CM737-07) November 7, 2012 (CM1117-12) April 26, 2011 (CF269-10)</p>
<p>Punishment prescribed for each offense (30.200(c)(4))</p>	<p>For CM409-08 and CM737-07:</p> <ul style="list-style-type: none"> a. For the charge in CM409-08 of FAMILY VIOLENCE (As a Misdemeanor), Defendant shall be sentenced to serve Five and a half (5.5) months imprisonment at the Department of Corrections in Mangilao, with forty (40) days direct time and the balance suspended, to run consecutive with time in CM737-07, with credit for time served; b. For the charge in CM737-07 of One Count of FAMILY VIOLENCE (As a Misdemeanor), Defendant shall be sentenced to serve Five and a half (5.5) months imprisonment at the Department of Corrections in Mangilao, with forty (40) days direct time and the balance suspended, to run consecutive with time in CM409-08, with credit for time served; c. For the charges in both CM409-08 of FAMILY VIOLENCE (As a Misdemeanor) and CM737-07 of One Count of FAMILY VIOLENCE (As a Misdemeanor), the total confinement for Items 5a and 5b above is that Defendant shall be sentenced to serve a total of Eleven (11) months imprisonment at the Department of Corrections in Mangilao, with eighty (80) days direct time and the balance suspended, with credit for time served; d. That during the Defendant's term of imprisonment, the Defendant shall undergo a psychological evaluation to be conducted by the Department of Corrections psychologist. The Defendant shall follow all treatment plans, including counseling, as may be recommended by the Department of Corrections psychologist. If, however, the Department of Corrections determines that it is unable to provide the necessary services for the Defendant, the Department of Corrections may refer the Defendant to another entity, agency, and/or organization, including the Client Services and Family Counseling Division of the Superior Court of Guam or the Department of Mental Health and Substance Abuse, for proper treatment. If a referral by the Department of Corrections is made, the receiving entity, agency, and/or organization are authorized to accept the Defendant; e. Defendant shall pay a fine of Five Hundred dollars (\$500.00) towards the Criminal Injuries Compensation Fund, plus Court cost. A payment plan may be arranged with the Parole Services Division. All or part of the fine imposed may be converted to community service work under the direction of the Alternative Sentencing Office, at the

current minimum wage rate per hour;

f. Defendant shall pay full restitution, if any, arising out of each charge in the complaint, an amount to be determined by Court at a restitution hearing, pursuant to the limitations set in 9 G.C.A. § 80.50(e). Defendant shall pay said restitution in monthly installments to be arranged by the Parole Services Division and shall pay it in full prior to the termination of his parole. However, in the event restitution is not paid by the expiration of parole, the obligation for restitution shall survive;

g. That upon the Defendant's release, he shall be placed on parole for a period of one (1) year. In addition to the standard conditions imposed by the Parole Board and the Parole Services Division of the Department of Corrections, the People recommend and the Defendant agrees to abide by the following terms and conditions of parole:

i. Defendant shall not harass, assault, threaten, physically strike, or injure the victims, (victims name omitted) and other family members;

ii. That the Defendant shall comply with all after-care treatment program recommended by the Department of Corrections' counselors;

iii. That the Defendant shall report to the Parole Services Division of the Department of Corrections once a month in person, or as ordered by the Parole Services Division of the Department of Corrections;

iv. Defendant shall stay away from all firearms, and is not to possess, carry, transfer, or use any firearms;

v. Defendant shall forfeit his firearm identification card to the court and shall not reapply for another one;

vi. Pursuant to 16 G.C.A. § 18303, Defendant shall not possess or consume any alcoholic beverages or illegal drugs, and shall not enter any establishments whose primary business is the sale of alcoholic beverages;

vii. Defendant shall submit to random drug or alcohol testing at the request of the Parole Services Division. Failure to submit to testing shall be considered a violation;

viii. Defendant shall permit parole officers to search his person, residence, and vehicles for any firearms, alcoholic beverages, or illegal drugs, at any time such a search is requested. Failure to allow such a search will be considered a violation of parole;

ix. Defendant shall surrender his passport and/or other travel documents, if any, to the Parole Services Division;

x. Defendant shall not leave Guam without the approval of the Court or Parole Services Division, with prior notice being given to the Office of the Attorney General, Prosecution Division;

xi. Defendant shall comply with any court orders entered against the Defendant, including orders of family court or any other local or federal court of competent jurisdiction;

xii. Defendant shall abide by any other reasonable conditions imposed by the Court or the Parole Services Division; and
xiii. Defendant shall obey all federal and local laws of Guam.

h. Defendant shall report to the Parole Services Division within forty-eight (48) hours of sentencing for intake and processing;
i. Failure of the Defendant to follow all of his conditions of parole will result in a hearing to revoke parole at which time the court may impose the maximum penalty allowable under the statute charged; and

j. The People agree not to revoke probation in CM94-08.

2. Pursuant to the plea agreement filed herein, the court hereby dismisses the remaining charges of ASSAULT (As a Misdemeanor) and HARASSMENT (As a Petty Misdemeanor) in CM409-08, and One Count of FAMILY VIOLENCE (As a Misdemeanor) in CM737-07, as contained in the Magistrate's Complaints filed herein.

For CM1117-12:

A. That as to the charge of FAMILY VIOLENCE (As a Misdemeanor), in CM1117-12, the Defendant shall be sentenced to serve one (1) year imprisonment, with all but eighty (80) days suspended and consecutive to the mandatory forty-eight (48) hours, at the Department of Corrections, with credit for time served;

B. That as to the charge of CRIMINAL MISCHIEF (As a Misdemeanor), in CM620-13, the Defendant shall be sentenced to serve one (1) year imprisonment with credit for time served. This period of imprisonment shall be suspended;

C. That as to both charges, the sentence shall run concurrent with each other;

D. That Defendant shall pay the minimum mandatory fine of Two Hundred Fifty Dollars (\$250.00), plus Court costs. All or part of the fine imposed may be converted to community service work at the current prevailing minimum wage rate, except for the Court costs;

E. That Defendant shall be held liable for full restitution, if any, pursuant to 9 G.C.A. § 80.50(e) to the victims, (victims names omitted), in an amount to be determined by Court at a restitution hearing. Defendant may pay said restitution in monthly installments and shall pay it in full prior to the termination of his parole. However, in the event restitution is not paid by the expiration of parole, the obligation for restitution shall survive;

F. That during the Defendant's term of incarceration, the Defendant shall not contact (victims names omitted), in person, by telephone, in writing, or through a third party, including a family member or friend;

G. That upon the Defendant's release from the Department

of Corrections, Mangilao, he shall be placed on parole for a term of THREE (3) YEARS pursuant to 9 G.C.A. §80.70(b);

H. That during his parole term, he shall comply with the conditions of parole specified in 9 G.C.A. § 80.80, and the following conditions are recommended to the Parole Board:

1. Defendant shall not harass, threaten, physically strike, or injure the victims, (victims names omitted);

2. Defendant shall refrain from threatening to commit or committing acts of family violence against, or from harassing, or annoying, (victims names omitted) a family or household member, or any person named in the court;

3. Defendant shall perform two hundred (200) hours of community service work during the Defendant's parole term. All or part of the community service hours may be converted to a fine at the current prevailing wage rate;

4. Defendant shall report to the Guam Behavioral Health and Wellness Center (GBHWC) for an assessment by a qualified substance abuse counselor of Defendant's alcohol dependence and need for treatment, the Parole Office shall contact the counselor for their recommendations to the Parole Board, which may require Defendant to obtain appropriate treatment, that all costs for such assessment or treatment or both shall be borne by Defendant at the discretion of Parole;

5. Defendant shall report to the Parole Office once a month in person, or as ordered by the Parole Board;

6. Defendant shall seek and attempt to maintain full-time legitimate employment, effective immediately, and that the Parole Office shall monitor Defendant's progress on a monthly basis;

7. Defendant shall not possess or consume any alcoholic beverages, and shall not enter any establishments whose primary business is selling alcoholic beverages;

8. Defendant shall not possess or consume any illegal controlled substances;

9. Defendant shall forfeit his firearm identification card to the court and shall not reapply for another one. 18 U.S.C. § 922 makes it unlawful for any person subject to an order for protection or convicted of a misdemeanor crime of domestic violence to ship, transport, possess, or receive firearms or ammunition;

10. Defendant shall submit to random alcohol and drug testing under the supervision of the Parole Office;

11. Defendant shall permit the parole officers and peace officers to search his person, residence, and vehicles for firearms, alcoholic beverages and illegal controlled substances at any time such a search is requested. Failure to allow such a search will be considered a violation of parole;

12. Defendant shall turn in his passport and/or other travel documents to the Parole Office;

13. Defendant shall comply with any court orders

entered against the Defendant, including orders of family court or any other local or federal court of competent jurisdiction;

14. Defendant shall not leave Guam without the approval of the Parole Board, with prior notice being given to the Office of the Attorney General, Prosecution Division;

15. Defendant shall obey all local and federal laws; and,

16. Defendant shall comply with any other condition imposed by the Court or the Parole Board.

I. Defendant shall report to the Parole Services Division within forty-eight (48) hours of his release from incarceration for intake and processing;

For CF269-10:

That for the offense of FAMILY VIOLENCE (As a 3rd Degree Felony) and Two Counts of ASSAULT (As a Misdemeanor), Defendant is to serve direct time of one (1) year imprisonment at the Department of Corrections, with credit for time served;

2. Defendant shall pay a fine of One Thousand Dollars (\$1,000.00), plus Court costs. Defendant acknowledges that he has the ability to pay this fine;

3. That Defendant shall be held liable for full restitution, if any, pursuant to 9 G.C.A. § 80.50(e), in an amount to be determined by Court at a restitution hearing. Defendant may pay said restitution in monthly installments and shall pay it in full prior to the termination of his probation. However, in the event restitution is not paid by the expiration of probation, the obligation for restitution shall survive;

4. That during the Defendant's term of incarceration, the Defendant shall not contact (victims names omitted) either in person, through a third party, including a family member or friend, by telephone, text message, electronic device, e-mail, letter, or any other form of communication;

5. That upon the Defendant's release from the Department of Corrections, he shall be placed on probation for a term of two (2) years with the following conditions:

i. Defendant shall perform one hundred (100) hours of community service work under the direction of the Alternative Sentencing Office;

ii. Defendant shall report to the Adult Probation Office once a month in person, or as ordered by the Adult Probation Office;

iii. Defendant shall report to the Client Services and Family Counseling Division of the Court for intake and assessment. The Defendant shall follow all treatment recommendations including psychological evaluation, psychiatric evaluation, drug and alcohol evaluation, individual counseling, group counseling and/or family counseling;

iv. Defendant shall report to the Department of

Mental Health and Substance Abuse for an intake and a drug and alcohol assessment, and follow all treatment plans as may be recommended by the Department of Mental Health and Substance Abuse Drug and Alcohol Assessment Counselor;

v. Defendant must attend and complete and pay the \$200 tuition fee of an Alcohol Treatment Program as ordered by the court;

vi. Defendant shall not harass, threaten, physically strike, or injure the victims, (victims names omitted);

vii. Defendant shall stay away, directly and indirectly, from the victims, (victims names omitted). The Defendant shall NOT CONTACT the victims either in person, through a third party, including a family member or friend, by telephone, text message, electronic device, e-mail, letter, or any other form of communication;

viii. Defendant shall not come within five hundred (500) feet of the victims, (victims names omitted);

ix. Defendant shall stay away from the residence, dwelling, school, day care center, or place of employment of the victims, (victims names omitted), or any other specified place, and shall not come within five hundred (500) feet of the above specified places;

x. The parties may revisit the issue of contact after the Defendant has been evaluated by Client Services and Family Counseling Division of the Court and Department of Mental Health and Substance Abuse and began counseling and/or treatment, but not before such time the Defendant has shown substantial compliance with any treatment recommendations;

xi. Defendant shall not possess or consume any alcoholic beverages, and shall not enter any establishments whose primary business is the sale of alcoholic beverages;

xii. Defendant shall not possess or consume any illegal controlled substances;

xiii. Defendant shall stay away from all firearms, and is not to possess, carry, transfer, or use any firearms;

xiv. Defendant shall forfeit his firearm's identification card to the court, if he possesses one, and shall not reapply for another one. 18 U.S.C. § 922 makes it unlawful for any person subject to an order for protection or convicted of a misdemeanor crime of domestic violence to ship, transport, possess, or receive firearms or ammunition;

xv. Defendant shall submit to random alcohol and drug testing under the supervision of the Adult Probation Office;

xvi. Defendant shall permit probation and police officers to search his person, residence, and vehicles for firearms, alcohol and illegal controlled substances at any time such a search is requested. Failure to allow such a search will be considered a violation of probation;

xvii. Defendant shall turn in his passport, and/or other travel documents to the Clerk of Court, if any;

xviii. Defendant shall seek and attempt to maintain

	<p>full-time legitimate employment, effective immediately, and that the Adult Probation Office shall monitor Defendant's progress on a monthly basis;</p> <p>xix. Defendant shall write a letter of apology to victims, (victims names omitted), and victim's family;</p> <p>xx. Defendant shall not leave Guam without the approval of the Court or Adult Probation Office, with prior notice being given to the Office of the Attorney General, Prosecution Division;</p> <p>xxi. Defendant shall comply with any other conditions imposed by the Court or the Adult Probation Office;</p> <p>xxii. Defendant shall comply with any court orders entered against the Defendant, including orders of family court or any other local or federal court of competent jurisdiction; and</p> <p>xxiii. Defendant shall obey all local and federal laws.</p>
<p>Indication as to whether the person was discharged, placed on probation, or community supervision, or release on parole or to mandatory supervision following the conviction for each offense (30.200(c)(5))</p>	<p>For CM409-08 and CM737-07:</p> <p>a. For the charge in CM409-08 of FAMILY VIOLENCE (As a Misdemeanor), Defendant shall be sentenced to serve Five and a half (5.5) months imprisonment at the Department of Corrections in Mangilao, with forty (40) days direct time and the balance suspended, to run consecutive with time in CM737-07, with credit for time served;</p> <p>b. For the charge in CM737-07 of One Count of FAMILY VIOLENCE (As a Misdemeanor), Defendant shall be sentenced to serve Five and a half (5.5) months imprisonment at the Department of Corrections in Mangilao, with forty (40) days direct time and the balance suspended, to run consecutive with time in CM409-08, with credit for time served;</p> <p>c. For the charges in both CM409-08 of FAMILY VIOLENCE (As a Misdemeanor) and CM737-07 of One Count of FAMILY VIOLENCE (As a Misdemeanor), the total confinement for Items 5a and 5b above is that Defendant shall be sentenced to serve a total of Eleven (11) months imprisonment at the Department of Corrections in Mangilao, with eighty (80) days direct time and the balance suspended, with credit for time served;</p> <p>d. That upon the Defendant's release, he shall be placed on parole for a period of one (1) year.</p> <p>For CM1117-12:</p> <p>A. That as to the charge of FAMILY VIOLENCE (As a Misdemeanor), in CM1117-12, the Defendant shall be sentenced to serve one (1) year imprisonment, with all but eighty (80) days suspended and consecutive to the mandatory forty-eight (48) hours, at the Department of Corrections, with credit for time served;</p> <p>B. That as to the charge of CRIMINAL MISCHIEF (As a Misdemeanor), in CM620-13, the Defendant shall be sentenced to serve one (1) year imprisonment with credit for time served. This period of imprisonment shall be suspended;</p> <p>C. That as to both charges, the sentence shall run</p>

	<p>concurrent with each other;</p> <p>D. That Defendant shall pay the minimum mandatory fine of Two Hundred Fifty Dollars (\$250.00), plus Court costs. All or part of the fine imposed may be converted to community service work at the current prevailing minimum wage rate, except for the Court costs;</p> <p>E. That Defendant shall be held liable for full restitution, if any, pursuant to 9 G.C.A. § 80.50(e) to the victims, (victims names omitted), in an amount to be determined by Court at a restitution hearing. Defendant may pay said restitution in monthly installments and shall pay it in full prior to the termination of his parole. However, in the event restitution is not paid by the expiration of parole, the obligation for restitution shall survive;</p> <p>F. That during the Defendant’s term of incarceration, the Defendant shall not contact (victims names omitted), in person, by telephone, in writing, or through a third party, including a family member or friend;</p> <p>G. That upon the Defendant’s release from the Department of Corrections, Mangilao, he shall be placed on parole for a term of THREE (3) YEARS pursuant to 9 G.C.A. §80.70(b).</p> <p>For CF269-10: That for the offense of FAMILY VIOLENCE (As a 3rd Degree Felony) and Two Counts of ASSAULT (As a Misdemeanor), Defendant is to serve direct time of one (1) year imprisonment at the Department of Corrections, with credit for time served;</p> <p>2. Defendant shall pay a fine of One Thousand Dollars (\$1,000.00), plus Court costs. Defendant acknowledges that he has the ability to pay this fine;</p> <p>3. That Defendant shall be held liable for full restitution, if any, pursuant to 9 G.C.A. § 80.50(e), in an amount to be determined by Court at a restitution hearing. Defendant may pay said restitution in monthly installments and shall pay it in full prior to the termination of his probation. However, in the event restitution is not paid by the expiration of probation, the obligation for restitution shall survive;</p> <p>4. That during the Defendant’s term of incarceration, the Defendant shall not contact (victims names omitted) either in person, through a third party, including a family member or friend, by telephone, text message, electronic device, e-mail, letter, or any other form of communication;</p> <p>5. That upon the Defendant’s release from the Department of Corrections, he shall be placed on probation for a term of two (2) years.</p>
<p>Cross Reference of crimes: Shall be listed as “Additional Information on FV Registry” CSC and/or Aggravated Assault (30.200(a)(1</p>	

