OFFICE OF THE ATTORNEY GENERAL
GUAM
PROSECUTION DIVISION
REPORT OF INVESTIGATION

GPD NO: 25-07142 **DEFENDANT: TORRES, Michael David Abila**
CF: PENDING

CLASSIFICATION: DWI, RESISTING ARREST

INFORMATION RECEIVED:

On March 19, 2025 at about 1330hrs Investigator [redacted] was approached by AAG [redacted] who requested to speak with Investigator [redacted] regarding our office receiving an improper telephone call by Atty Phil Torres. AAG [redacted] informed Investigator [redacted] that Michael D.A. Torres was arrested for DWI, Resisting Arrest (2025-07142) and was the son of Atty Phil Torres who made an improper call to AAG [redacted] requesting to have his son not be magistrated but to be booked & released. AAG [redacted] stated that the Attorney General called and instructed Paralegal [redacted] to inform AAG [redacted] not to charge the case but to Book & Release arrestee Torres. No further information provided.

INFORMATION RECEIVED:

On March 19, 2025 at about 1340hrs Investigator [redacted] requested to speak with AAG [redacted] regarding a phone call AAG [redacted] received from Atty Phil Torres regarding arrestee Michael Torres. AAG [redacted] stated the following:

Today at about 0930hrs Atty Phil Torres called AAG [redacted] and requested two points:

1. If possible, to Book & Release his son rather than Magistrate.
2. Complaint about his son being Tased by GPD.

AAG [redacted] informed Atty Phil Torres that the case was being reviewed when Atty Phil Torres called him, AAG [redacted] informed Atty Phil Torres that as of now he had no opinion about the case and will need to consult with a Senior Attorney [redacted] about the case and AAG [redacted] will then call back Atty Phil Torres with a response. AAG [redacted] stated he then [redacted] was able to speak with AAG [redacted] and informed her of Atty Phil Torres request regarding arrestee Michael Torres. AAG [redacted] stated he then gave the case to AAG [redacted] for review. AAG [redacted] stated he then telephoned Atty Phil Torres and informed him that he will need to wait till the 3pm hearing to find out if a decision is made to either Magistrate or Book & Release arrestee Michael Torres. AAG [redacted] stated that

/s/
[redacted]
Criminal Investigator [redacted]

Atty Phil Torres accepted his response and then hung up the telephone call. No further information provided.

INFORMATION RECEIVED:

On March 19, 2025 at about 1355hrs Investigator [redacted] requested to speak with AAG [redacted] regarding police report 25-07142 arrestee Torres. AAG [redacted] stated the following:

She received the police report from AAG [redacted] who received the police report from AAG [redacted]. AAG [redacted] stated AAG [redacted] informed AAG [redacted] that he got a call asking if the case could be Booked and Released. AAG [redacted] stated AAG [redacted] then gave her the case for it to be charged. AAG [redacted] stated that she reviewed the police report and determined that there was probable cause for 3 charges, (1) Felony and (2) Misdemeanors at which time she prepared the affidavit sent it to paralegal [redacted]. AAG [redacted] stated while she was waiting for the complaint paralegal [redacted] then informed AAG [redacted] that the Attorney General had called paralegal [redacted] to initially wait on the complaint which was after the disposition that was already sent to the Department of Corrections which indicated that Torres was going to be charged upon finalizing the complaint that way the Department of Corrections could prepare for the magistrate hearing/complaint. AAG [redacted] stated paralegal [redacted] was on the phone with the Attorney General informed her that the Attorney General said to wait on charging Torres and that the Attorney General wanted to speak with AAG [redacted] about it because the Attorney General wanted to Book & Release Torres. AAG [redacted] was informed by paralegal [redacted] that paralegal [redacted] would amend the disposition memo to the Department of Corrections to Book & Release Torres. AAG [redacted] stated paralegal [redacted] was actually on the phone with the Attorney General as this was happening walking back and forth from her office. AAG [redacted] stated that paralegal [redacted] was on the phone with the Attorney General to change the disposition to Book & Release and the direction came from the Attorney General. AAG [redacted] then went to speak with AAG [redacted] about the case but she was unavailable so AAG [redacted] then went to AAG [redacted] and informed him of the Attorney General instructing her to Book & Release Torres. No further information provided.

INFORMATION RECEIVED:

On 19 March 2025 at about 1420hrs Investigator [redacted] requested to speak with paralegal [redacted] regarding a phone call he received from the Attorney General regarding arrestee Michael Torres. Paralegal [redacted] stated the following:

He pulled reports like normal, printed the reports and gave reports to AAG [redacted] to review and to prepare her affidavit. Paralegal [redacted] stated when AAG [redacted] done reviewing the reports she then sends the affidavit to him and he will then prepare the Magistrate complaint to file. Paralegal [redacted]

/s/

[redacted]
Criminal Investigator [redacted]

stated that AAG [redacted] informed him that she was going to charge arrestee Torres however she was not done with the affidavit yet so he put it on the disposition memo to the Department of Corrections that the case was going to be magistrated today. Paralegal [redacted] stated while he was waiting for AAG [redacted] affidavit he got a call from the Attorney General a little after 12pm, 12:05 or 12:10 but he missed the Attorney Generals call the first time and so the Attorney General then called [redacted] who had called paralegal [redacted] asking about this case referencing arrestee Torres, asking if the complaint was already filed which paralegal [redacted] informed [redacted] "No, it wasn't because he was still waiting for AAG [redacted] to finish with the affidavit". Paralegal [redacted] stated nothing was done at that time nothing was ready due to being reviewed. Paralegal [redacted] stated the Attorney General then called him again after he spoke with [redacted] just asking about the Torres case and at that point he just got the affidavit from AAG [redacted] and he was about to prepare the complaint to file but the Attorney General interrupted him at that time and told paralegal [redacted] to hold off on that, Paralegal [redacted] stated the Attorney General initially informed him to hold that person for tomorrow magistrates and then he hung up the telephone. Paralegal [redacted] stated the Attorney General asked him to have AAG [redacted] to speak with him about the case so he went to AAG [redacted] and informed her that the Attorney General wants to hold off charging the case and wanted to speak with AAG [redacted] more about the case. Paralegal [redacted] was telephoned by the Attorney General a third time and said forget about holding we are just going to release this person with a (1) year NTA, Booked & Released. Paralegal [redacted] then went and amended the disposition memo submitted to the Department of Corrections and changed it to Book & Release. No further information provided.

RECOMMENDATION:

I recommend this report for record purposes only.

/s/

[redacted]
Criminal Investigator [redacted]