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Saipan Politicos Join Cattle Rustling Case

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SAIPAN—Rep. Herman Q. Guerrero, a member of the Congress of Micronesia from the Marianas, has acknowledged that he and his colleague, Sen. Olympio T. Borja, have taken an active role in trying to have cattle rustling charges against five Saipan men dropped or reduced.

They are urging that the men be allowed to pay for the cattle that have been slaughtered.

The five were charged April 25 with grand larceny in the loss of five government cattle and one privately owned bull.

District agricultural officials say 18 heads of their stock have been killed in the past 18 months.

The twice-postponed arraignment on the district government's two complaints has been reset for tomorrow.

It was indicated two weeks ago at the second scheduled arraignment that the district attorney's office might drop the charges if restitution were made.

Marianas District Attorney William S. Amsbary has explained that he never considered simply dropping the charges and said so to Borja and Guerrero.

Guerrero met with him privately once and returned the next week with Borja and "talked for several hours," said Amsbary.

Another meeting between Guerrero and District Prosecutor Miguel Sablan was scheduled last week in the office of Trust Territory Public Safety Superintendent Manuel T. Sablan, but Guerrero said it did not take place.

Amsbary said he told the congressmen that restitution is allowable under the TT code. He indicated, however, that reparation would have to be coupled with charges on a lesser offense and that a case could be argued for leniency since four of the accused do not have previous criminal records.

He said he also suggested that negotiations for possible restitution for the lost cattle be conducted by the men's attorney, Assistant Public Defender Benjamin M. Abrams. Sablan would handle the government's case, it was reported.

Earlier this week Guerrero said the accused had

asked his advice and assistance with the case.

"We are not the ones handling the case," the congressman said, adding that he regards himself only as a "go-between" for the district attorney's and public defender's offices in the case.

Guerrero said he views his and Borja's role as one of "coordination and clarification" and that "no pressure was put on anybody."

He said he had met once with district agriculturalist Lester Weaver, whose office is responsible for the government cattle.

Saying the case presents a choice between punishment and rehabilitation, Guerrero added, "It doesn't serve any purpose to penalize and permanently damage them if they can be given an opportunity to go back to a normal life."

The congressman said he had been asked to involve himself in only one previous criminal case but declined on the merits of the case.

Guerrero said he had "definitely not" spoken to Trust Territory Attorney General Richard I. Miyamoto about negotiations on the rustling charges.

Miyamoto, whose jurisdiction includes the district attorney's and public safety offices, also said neither Guerrero nor Borja had contacted him about the matter.

Miyamoto added that he did not know why a meeting had been set up in the public safety superintendent's office.

Following his meeting with the congressmen, Amsbary was notified by Miyamoto that he (Amsbary) was reassigned to the attorney general's office at headquarters.

Miyamoto said Amsbary "seemed very unhappy about coming up" and that his status "is in a state of flux at the moment." He added that "for all practical purposes, Amsbary is still the district attorney for the Marianas."

The Attorney general indicated he asked Amsbary to leave his district attorney's post because temporary absences of attorneys on Miyamoto's staff have caused a manpower problem.

Miyamoto said Amsbary previously had asked to terminate his contract July 1, about five months early.