

Barry L. Mead  
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October 10, 2017

The Honorable Benjamin J. F. Cruz  
Speaker  
34<sup>th</sup> Guam Legislature  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

Speaker Benjamin J.F. Cruz

Mr. Speaker,

OCT 12 2017  
Time: 3:13 AM File No. 34-1014  
Received By: 

It is with a heavy heart that I must file this “Ethics Complaint” towards Senator Fernando Barcinas Esteves. He has flagrantly violated his oath of office,

**“I SOLEMNLY SWEAR (OR AFFIRM) IN THE PRESENCE OF ALMIGHTY GOD THAT I WILL WELL AND FAITHFULLY SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE LAWS OF THE UNITED STATES APPLICABLE TO GUAM, AND THE LAWS OF GUAM, AND THAT I WILL CONSCIENTIOUSLY AND IMPARTIALLY DISCHARGE MY DUTIES AS A MEMBER OF *I LIHESLATURAN GUÅHAN*.”**

In that through his recent actions during a protest in front of Anderson Air Force Base he has not followed his oath. His ranting and yelling **“Call the base commander! Call the base commander!”** is just one indicator of his conscientious disregard for his oath of office and the Standing Rules of the 34<sup>th</sup> Legislature, per Rule XIX, §19.02 (c). The other indicator is through his social media page (attached) where-in he asserts to incited civil disobedience and disregard for the Constitution of the United States.

Lastly and though not tied directly to the Guam Legislature, but again an indiscretion that brings discredit to his office is his blatant disregard for the Military Chain of Command, clearly a violation of the Uniform Code of Military Justice. And, with the investigation announced by the Adjutant General it becomes clear that under Article 89 of the UCMJ Senator Esteves did show, and exhibit a behavior and disrespect for a superior officer. Article 117 stipulates “Any person subject to this chapter who uses provoking or reproachful words or gestures towards any other person subject to this chapter shall be punished as a Court-

Martial may direct.” His reference to Article 2, in trying to justify his actions only strengthens my resolve that he did what he did knowing full well his ability to “get away with it” and speaks further to his ethical values.

It is for these reasons that I bring this charge of an ethics Violation before the 34<sup>th</sup> Legislature.

Senseramente,



Barry L. Mead