

I MINA' TRENTAI TRES NA LIHESLATURAN GUÅHAN  
2016 (SECOND) Regular Session

Bill No. 336-33 (LG)

Introduced by:

V. Anthony Ada  
F. B. Aguon, Jr.  
Brant T. McCreadie

AN ACT TO AMEND §66103 OF CHAPTER 60 OF 10GCA  
AND §50101(B) OF CHAPTER 50 OF 17 GCA RELATIVE  
TO THE TRAINING REQUIREMENTS FOR MEMBERS  
OF THE *CIVILIAN VOLUNTEER POLICE RESERVES*  
(CVPR).

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1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that two  
3 sets of training standards apply in Guam Law to the members of the Civilian Volunteer  
4 Police Reserve. It is clear that the definition of 'Peace Officer' in the POST statutes  
5 recognizes police reservists as peace officers for the purposes of standards and training  
6 required by the POST Commission. A contradiction of law, however, occurs in  
7 §66103 of 10GCA where the standards and training requirements are the personal  
8 prerogative of the Chief of Police. This provision was created and amended prior to  
9 the adjudication of POST Commission administrative rules and regulations and was  
10 practical at the time the statute was created.

11 *I Liheslatura further* finds that members of the Civilian Volunteer Police  
12 Reserve are empowered by Guam law to perform most of the duties of regular full-  
13 time police officers of the Guam Police Department. To ensure safety of the reservists,  
14 fellow officers and the general public, the standards of the Civilian Volunteer Police  
15 Reserve must be identical to those of the Guam Police Department.

1            *Liheslatura further* finds that an audit of the Civilian Volunteer Police Reserve  
2 inclusive of the 13th through 18th cycles revealed deficiencies in training and  
3 recruitment standards or lack of documentation on training and recruitment standards  
4 that included but are not limited to (1) lack of training courses, (2) incomplete training  
5 courses, (3) lack of POST certification or academic accreditation of training courses  
6 (4) lack of documentation on recruitment standards (police clearance, court clearance,  
7 traffic clearance, drivers license, background check, polygraph exam, psychological  
8 evaluation and drug testing).

9            It is the intent of I Liheslatura to ensure that the standards and training  
10 requirements for members of the Civilian Volunteer Police Reserve are the same as  
11 those for officers with Guam Police Department.

12

13 **Section 2.** Section 66103 of Chapter 66 of 10GCA is *amended* to read as follows:

14 **§ 66103. Training, Equipping and Maintenance of Records.**

15            (a) Training for the Civilian Volunteer Police Reserve members shall be conducted  
16 pursuant to the provision of the Peace Officer Standards and Training Commission  
17 "POST" as defined by Chapter 51 of 17GCA. Initial training requirements shall be  
18 identical to those required of Guam Police Officer cadets.

19            (b) The Chief of Police SHALL devise a program whereby the Guam Police  
20 Department and the Civil Defense Office will provide the members of the Civilian  
21 Volunteer Police Reserve training in law enforcement and operational techniques and  
22 procedures for natural and man-made emergencies. The Civilian Volunteer Police  
23 Reserve SHALL maintain a roster of volunteers who have received the training  
24 prescribed herein by Chapter 51 of 17GCA. In order to maintain membership in the  
25 Reserve, each member must keep up with his scheduled training, and NO volunteer  
26 may remain in the Reserve if he or she is unable to keep up with or otherwise absorb  
27 the training. Additionally, basic supplies and equipment SHALL be provided to assure  
28 a constant and operability of the Civilian Volunteer Police Reserve, including a

1 continuing program for replacement.

2 (c) Members of the Civilian Volunteer Police Reserve who were recruited and  
3 sworn in from the Eighteenth (18th) recruitment cycle or earlier shall have up to two  
4 (2) years, from the effective date of this subsection, to complete the POST training  
5 requirements required, *supra*. No member of the Civilian Volunteer Police Reserve  
6 who has not met the minimum qualifications/certifications for (1) firearms safety and  
7 proficiency, (2) physical fitness, (3) recruitment clearances (police, court, etc) and  
8 background checks shall allowed to serve in the Civilian Volunteer Police Reserve.

9  
10 **Section 3.** Section 51101(b) of Chapter 51 of 17GCA is *amended* to read as follows:

11 (b) *Peace Officer* for the purpose of this article, *shall* mean the Chief of Police  
12 and *all* sworn officers of the Guam Police Department including reservists (Civilian  
13 Volunteer Police Reserve); the Chief and all officers of the Guam Airport Police; the  
14 Chief and all officers of the Guam Port Authority Police; the Director of Corrections,  
15 all uniformed Correction Officers and Parole Officers as well as such rehabilitation  
16 personnel of the Department of Corrections as are designated by the Director of  
17 Corrections; the Director of Customs and all sworn officers of the Customs and  
18 Quarantine Agency; the Director and all employees of the Department of Youth  
19 Affairs who are engaged in juvenile detention and rehabilitation work as designated by  
20 the Director of the Department of Youth Affairs; the Chief and all Conservation  
21 Officers of the Division of Aquatic and Wildlife Resources of the Department of  
22 Agriculture; the Chief and all Guam Park Patrol Officers of the Department of Parks  
23 and Recreation; the Attorney General and those employed by the Attorney General's  
24 Office whom he specifically designates; the Chief Marshal and all Marshals and the  
25 Chief of Probation and all Probation Officers of the Unified Guam Judiciary; all Fire  
26 Fighter Personnel engaged in the enforcement of the Fire Prevention Code, all Arson  
27 Investigators and those GFD employees whom the Fire Chief specifically designate.