



Thirty-First
Guam Legislature

COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

October 25, 2011

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina'Trentai Unu na Liheslaturan Guåhan

155 Hesler Place

Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairman, Committee on Rules

RE : Committee Report – Bill No. 270-31 (COR) as Amended.

The Committee on Public Safety, Law Enforcement and Judiciary, to which was referred, **Bill No. 270-31 (COR) - "AN ACT TO ADD A NEW §77114(h) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO THE PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS,"** hereby reports out with the recommendation **TO PASS**.

Committee Votes are as follows:

Other Committee Membership:

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
Senior Citizens, Economic
Development and Election
Reform

Member, Committee on Rules,
Federal, Foreign & Micronesian
Affairs and Human & Natural
Resources

Member, Committee on
Education and Public Libraries

Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation

<u>9</u>	TO PASS
<u>0</u>	NOT TO PASS
<u>0</u>	TO REPORT OUT ONLY
<u>0</u>	ABSTAIN
<u>0</u>	INACTIVE FILE

Sincerely,

ADOLPHO B. PALACIOS, MPA, BS/CJA
Chairman

Attachments

2011 OCT 27 PM 4:51

WSP



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

**COMMITTEE REPORT ON
BILL NO. 270-31 (COR)**

**As Amended by the
Committee on Public Safety, Law Enforcement & Judiciary**

AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ~~INCLUDING~~ REQUIRING POLICE OFFICERS TO RECEIVE TRAINING PERTINENT TO THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(a) and (b) RELATIVE TO THE POLYGRAPH EXAMINATION AND PHYSICAL STANDARDS REQUIREMENTS FOR POLICE OFFICERS, AND TO FURTHER ADD A NEW SUBSECTION (m) TO §41103, ARTICLE 1, CHAPTER 41, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE DUTIES OF THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES.



Thirty-First
Guam Legislature


COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

October 21, 2011

MEMORANDUM

TO: ALL MEMBERS
Committee on Public Safety, Law Enforcement, & Judiciary

FROM: Senator Adolpho B. Palacios, Sr. 
Committee Chairman

SUBJECT: Committee Report on Bill No. 270-31 (COR) as Amended.

Transmitted herewith for your consideration is the Committee Report on Bill No. 270-31 (COR) as Amended- "AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING REQUIRING POLICE OFFICERS TO RECEIVE TRAINING PERTINENT TO THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(a) and (b) RELATIVE TO THE POLYGRAPH EXAMINATION AND PHYSICAL STANDARDS REQUIREMENTS FOR POLICE OFFICERS, AND TO FURTHER ADD A NEW SUBSECTION (m) TO §41103, ARTICLE 1, CHAPTER 41, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE DUTIES OF THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES," - sponsored by Senator Adolpho B. Palacios, Sr.

This report includes the following:

- Committee Voting Sheet
- Committee Report Digest
- Copy of Bill No. 270-31 (COR) as Amended
- Copy of Bill No. 270-31 (COR) as Introduced
- Public Hearing Sign-in Sheet
- Copies of testimony submitted and supporting documents
- Fiscal Note of Bill No. 270-31 (COR)
- Copy of COR Referral of Bill No. 270-31 (COR)
- Notices of Public Hearing
- Copy of the Public Hearing Agenda

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please contact this office.

Si Yu'os ma'åse!

Committee Members:

Senator Thomas C. Ada
Vice Chairman

Speaker Judith T. Won Pat, Ph.D.
Member

Senator Tina R. Muna-Barnes
Member

Senator Judith P. Guthertz, DPA
Member

Senator Rory J. Respicio
Member

Senator Dennis G. Rodriguez, Jr.
Member

Senator V. Anthony Ada
Member

Senator Christopher M. Duenas
Member

Senator Mana Silva-Taijeron
Member

Senator Aline A. Yamashita, Ph.D.
Member

*Other Committee
Membership:*

Vice Chairman, Committee on
Utilities, Transportation, Public
Works and Veterans Affairs

Vice Chairman, Committee on
Health and Human Services,
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Development and Election
Reform

Member, Committee on
Education and Public Libraries

Member, Committee on Rules,
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Member, Committee on Guam
Military Buildup and Homeland
Security

Member, Committee on
Municipal Affairs, Tourism,
Housing and Recreation



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

VOTING SHEET ON:

Bill No. 270-31 (COR) as Amended – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING REQUIRING POLICE OFFICERS TO RECEIVE TRAINING PERTINENT TO THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(a) and (b) RELATIVE TO THE POLYGRAPH EXAMINATION AND PHYSICAL STANDARDS REQUIREMENTS FOR POLICE OFFICERS, AND TO FURTHER ADD A NEW SUBSECTION (m) TO §41103, ARTICLE 1, CHAPTER 41, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE DUTIES OF THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES. – sponsored by Senator Adolpho B. Palacios, Sr.

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		10/24/11				
Thomas C. Ada Vice Chairman		10/24/11				
Tina R. Muña-Barnes Member		✓				
Judith P. Guthertz, DPA Member		✓				
Rory J. Respicio Member		✓				
Dennis G. Rodriguez, Jr. Member						
Judith T. Won Pat, Ed.D. Member		10/25/11				
V. Anthony Ada Member		10/25/11				
Christopher M. Duenas Member		10/24/11				
Mana Silva Taijeron Member		10/25/11				
Aline A. Yamashita, Ph.D. Member		10/21/11				

Office/Mailing Address: 155 Hesler Place, Hagatña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: SenABPalacios@gmail.com • Website: www.senatorpalacios.com



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

COMMITTEE REPORT DIGEST

Bill No. 270-31 (COR) — “An act to add a new §77114(f) to Article 1, Chapter 77, Title 10, Guam Code Annotated, relative to including the subject of persons with disabilities, including special needs and mental illness as a component within the written examination for individuals applying to serve as police officers, and to further amend §77114(b) relative to the physical standards requirement for police officers.” — by Senator Adolpho B. Palacios, Sr.

I. OVERVIEW

The Committee on Public Safety, Law Enforcement and Judiciary convened the public hearing on September 27, 2011 at 8:42 a.m. in *I Liheslatura's* Public Hearing Room. Among the items on the agenda was the consideration of Bill No. 270-31 (COR) - “An act to add a new §77114(f) to Article 1, Chapter 77, Title 10, Guam Code Annotated, relative to including the subject of persons with disabilities, including special needs and mental illness as a component within the written examination for individuals applying to serve as police officers, and to further amend §77114(b) relative to the physical standards requirement for police officers” sponsored by Senator Adolpho B. Palacios, Sr.

Public Hearing Requirements:

Notices of the hearing were disseminated via facsimile and email to all senators and all main media broadcasting outlets on September 19, 2011 (5-day Notice) and on September 23, 2011 (48-Hour notice) pursuant to meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature's website.

Senators Present:

Senator Adolpho B. Palacios, Sr., Chairman
Senator Aline A. Yamashita, Ph.D., Member
Senator Christopher M. Duenas, Member
Senator Vicente C. Pangelinan

Individual(s) Registered for oral or written testimony:

Benito Servino, Director, Department of Integrated Services for Individuals with Disabilities, provided oral and written testimony.

II. SUMMARY OF TESTIMONIES

Chairman Adolpho B. Palacios, Sr. convened the public hearing of the Committee on Public Safety, Law Enforcement and Judiciary on Bill No. 270-31 (COR) at 8:42 a.m., read the agenda for the public hearing, and called Director Benito Servino to the panel to testify.

Chairman Palacios discussed the qualification criteria for the police officer position. The Chairman discussed accommodations in law for individuals with disabilities. He said that there should be an additional requirement that police officers demonstrate an ability to recognize and understand persons with disabilities.

Director Benito Servino read his prepared written statement. Director Servino supports the intent of the Bill. He commended the Senator for offering the bill. Mr. Servino suggested that there be five items in the exam that address disabilities. He believes it should be followed by training for police officers to assist them in dealing effectively with challenged persons. *(See attached written testimony.)*

Senator Christopher M. Duenas thanked the Director for his efforts to get engaged with other departments to improve services for persons with disabilities.

Senator Aline A. Yamashita thanked Chairman Palacios for offering the bill. She discussed the formulation of the test which the Department of Administration administers. Senator Yamashita related her personal experience with her own child's interactions with the Police Department. She said that this bill opens up the possibility of moving forward to improve services for persons with disabilities. She raised concerns about the employability of persons with disabilities and made reference to efforts by Senator Pangelinan.

Director Servino stated that there is already a curriculum in GPD's training that includes issues relative to persons with disabilities.

Senator Yamashita stated that it is unacceptable that John F. Kennedy High School had considered cutting their program for persons with autism. She said that she has been dismayed by the position of the Special Education Division of the Guam Department of Education regarding this matter.

Chairman Palacios said that often noncompliance with an officer is presumed by the officer to be defiance, which raises the tension of a situation. The Chairman stated his intention to hold a mark-up meeting including DISID, DOA and GPD. He said that first responders must be trained to deal effectively with persons with disabilities.

Chairman Adolpho B. Palacios, Sr., declared that Bill No. 270-31 (COR) has been duly heard and that the Committee would continue to receive written testimony for ten (10) working days following the hearing. The hearing was adjourned at 3:05 p.m.

III. WRITTEN TESTIMONIES

Benito Servino, Director, Department of Integrated Services for Individuals with Disabilities. *(Summarized in Section II.)*

No further written testimony was received within the ten-day period following the public hearing of Bill 270-31 (COR).

IV. FINDINGS AND RECOMMENDATION

Mark-up Meeting on Bill No. 270-31 (COR) on October 5, 2011 at 10:00 a.m.:

Participants:

Adolpho B. Palacios, Sr., Chairman, Committee on Public Safety, Law Enforcement and Judiciary.

Shane Ngata, acting Administrator, Human Resources Division, Department of Administration.

Francis Flisco, Personnel Specialist IV, Human Resources Division, Department of Administration.

Ginger Porter, Guam Center for Excellence in Developmental Disabilities Education, Research & Service (Guam CEDDERS), University of Guam.

Proceedings:

Chairman Adolpho B. Palacios, Sr., convened the meeting. The Chairman discussed the increased involvement of persons with disabilities in public life. He stated that the bill would require a portion of the test for police recruits, which the Department of Administration administers, would cover persons with disabilities.

Ginger Porter said that they could add such coursework into the curriculum of Guam CEDDERS.

Chairman Palacios said that the bill would require that prospective officers will have to review materials relative to persons with disabilities in preparation for their test. He suggested that the Guam Police Department should go beyond the requirements set out in law.

Ms. Porter brought up their recommendations relative to training for first responders, that all get trained to deal with persons with disabilities effectively. She discussed a student group which could help research approaches to persons with special needs in other jurisdictions. Ms. Porter stated that they could assist in the legislative process and with proposals.

Chairman Palacios said that Bill Nos. 270 and 271 are related. Bill 271 deals with testing for promotion. Chairman Palacios suggested the idea to develop a subcommittee on special needs, perhaps engaging Senator Yamashita. The Chairman asked the representatives from the Department of Administration how many questions are on the test. Mr. Flisco said that there are 118 questions. Chairman Palacios stated that he wants officers to be able to recognize when they encounter individuals who have special needs. Ginger Porter asked what kind of questions are on the test. Mr. Flisco said that they are multiple choice and suggested that it be mandated as a training requirement instead of initial testing. Chairman Palacios said that he had considered that option.

Acting Administrator Shane Ngata suggested that there could be a requirement for initial training and additional training as officers advance in their careers. Ginger Porter suggested eight (8) hours of training, but said that some states have as much as forty (40) hours required. She brought up the possibility of annual or quarterly refresher training, perhaps roll-call training.

Shane Ngata suggested gradual training as an officer advances. Ms. Porter concurred that there should be initial and then follow-on training. Chairman Palacios suggested adding language about certifying instruction and passage in such a training program to fulfill the requirement to demonstrate knowledge, rather than through the examination conducted by the Department of Administration.

Ms. Porter suggested that training be required by a qualified trainer. Chairman Palacios and Ms. Porter agreed that the Bill's language should require that police officers successfully complete a course on disability awareness.

Chairman Palacios said that the course could have a comparable approach to sensitivity training. He suggested that the same approach can be used to recertify for disability awareness. Ms. Porter said that it will be a better method of getting what is desired from the legislation. Mr. Ngata suggested that if CEDDERS can do the training, they could provide a list of those who have successfully completed the program to the Department of Administration. Ms. Porter said that GPD is amenable to this type of policy and suggested that refresher training can be embedded in the training process. Chairman Palacios pointed out that GPD is not consistent on providing roll-call training. Mr. Ngata suggested the idea of recertification requirements so that the training could be an on-going process.

Ms. Porter said that the academy should build capacity and have certification occur within the academy. Mr. Ngata suggested that it could gradually be integrated into the academy's curriculum, but temporarily CEDDERS could provide the training.

Ms. Porter said that this should apply to all first responders and she asked about the CAPE volunteers. Chairman Palacios said that they are not considered first responders, since they only issue citations, but agreed that all first responders should be trained in this manner.

Ms. Porter showed some basic training material and stated that such materials are useful for training and that materials to address persons with special needs do not need to be made from scratch. Chairman Palacios said that DISID could be involved in the process and get such instructional materials. He clarified that the testing will be removed and replaced by a certification requirement.

Mr. Ngata said that annual renewals would be a significant responsibility if it were incorporated. Ms. Porter talked about the costs of the training programs and gave an example of a transit operators training program. Chairman Palacios said that they need to involve GPD training in this process.

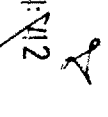
Ms. Porter discussed the recommendations of CEDDERS relative to training. Chairman Palacios reiterated that persons with special needs require an officer to be able to recognize and deal with them appropriately. Ms. Porter discussed the different types of disabilities. Chairman Palacios discussed the possibility that a course could be developed in the training academy or at the University of Guam.

Chairman Adolpho B. Palacios, Sr., concluded the meeting.

Recommendations

The Committee on Public Safety, Law Enforcement and Judiciary hereby reports out **Bill No. 270-31 (COR), as amended by the Committee, with the recommendation TO PASS.**

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

2011 JUN 19 PM 4:41Z


Bill No. 270-31 (COR)

Introduced by:

Adolpho B. Palacios, Sr.

**AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1,
CHAPTER 77, TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO INCLUDING THE
SUBJECT OF PERSONS WITH DISABILITIES,
INCLUDING SPECIAL NEEDS AND MENTAL
ILLNESS AS A COMPONENT WITHIN THE
WRITTEN EXAMINATION FOR INDIVIDUALS
APPLYING TO SERVE AS POLICE OFFICERS, AND
TO FURTHER AMEND §77114(b) RELATIVE TO
THE PHYSICAL STANDARDS REQUIREMENT FOR
POLICE OFFICERS.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*
3 finds that legislative proposals were enacted during *I Mina' Trenta na*
4 *Liheslaturan Guåhan* to help improve public services for individuals with
5 disabilities. P.L. 30-99, enacted in March 2010, requires the Department of
6 Revenue and Taxation to issue license plates or decalcomania (one [1] or the
7 other) and/or placards to individuals with speech and/or hearing disabilities.
8 Enacted in July 2010, P.L. 30-171 requires all agencies, public corporations
9 and instrumentalities of the government of Guam to ensure that individuals
10 with mobility disabilities are allowed to move to the front of the line for
11 customer service requests and remittance of payments.

12 In an effort to further raise awareness of the challenges with which
13 individuals with disabilities are confronted, *I Liheslatura* finds that public

1 safety and law enforcement personnel have a unique role in ensuring that
2 individuals with disabilities live and work in a safe community. As agents
3 of the law, public safety and law enforcement officers are trained to
4 recognize and appropriately deal with threats to the public.

5 *I Liheslaturan Guåhan* finds, however, that some public safety and
6 law enforcement personnel do not receive training on how to recognize and
7 handle situations involving individuals with disabilities, including special
8 needs and mental illness. Police Officers respond to numerous emergencies
9 every year, some of which may involve persons with special needs,
10 including mental illness. The ability of police officers to recognize when
11 they are dealing with individuals with disabilities can help ensure that
12 effective assessments are made and appropriate intervention techniques are
13 used. The ability to recognize persons with special needs will enhance
14 public safety responsiveness to their unique difficulties.

15 Therefore, it is the intent of *I Liheslaturan Guåhan*, as part of the
16 government of Guam's continuous efforts to improve services for
17 individuals with disabilities, to require that police officers demonstrate the
18 ability to recognize and understand persons with disabilities, including
19 special needs and mental illness. *I Liheslatura* intends to add a new
20 §77114(f) to Article 1, Chapter 77, Title 10, Guam Code Annotated, which
21 will require that applicants demonstrate such ability, through established
22 examination processes, as one of the conditions for selection prior to their
23 appointment as a police officer.

24 *I Liheslaturan Guåhan* further intends to amend §77114(b) of Article
25 1, Chapter 77, Title 10, Guam Code Annotated relative to the physical
26 standards requirement for police officers.

1 **Section 2. Police Officer Qualifications.** §77114(b) of Article 1,
2 Chapter 77, Title 10, Guam Code Annotated is hereby *amended* and a new
3 §77114(f) is hereby *added* to read:

4 **“§77114. Minimum Qualifications.**

5 (a) Notwithstanding other provisions of law to the contrary, persons
6 appointed as police officers shall:

7 (1) be a resident of the Territory of Guam and a U.S. citizen;

8 (2) be of good health and good moral character;

9 (3) be over the age of eighteen (18) years;

10 (4) be a high school graduate *or* equivalent, but the POST
11 Commission may set higher academic qualifications for all
12 applicants as the Commission considers necessary;

13 (5) submit to and pass a drug screening test, including but not
14 limited to a urinalysis test;

15 (6) submit to psychological testing; and

16 (7) submit to and pass a polygraph examination.

17 (b) No person shall be appointed a police officer who has not
18 established satisfactory evidence of qualifications by passing a
19 physical examination, which shall include a physical agility test,
20 and written examination(s) based upon standards relevant to the
21 duties to be performed, which standards shall be established by the
22 Chief of Police. ~~If in the Chief of Police’s judgment, and in the~~
23 ~~best interest of the Department, the Chief of Police may waive the~~
24 ~~physical standards established for the position.~~

25 (c) No person shall be appointed a police officer who has been
26 convicted in any civilian or military court of a felony, a crime

1 involving moral turpitude, a crime of domestic or family violence,
2 or who has been administratively pardoned of any crime.

3 (d) No person shall be appointed a police officer before a thorough
4 investigation of the applicant's background and moral character is
5 completed.

6 (e) A police officer dismissed for cause shall be permanently
7 ineligible for reappointment to any position in the Department. An
8 officer who resigns for the sole purpose of negating or averting a
9 pending or anticipated disciplinary action to dismiss the officer
10 may be ineligible for reappointment.

11 (f) No person shall be appointed a police officer who has not
12 established satisfactory evidence, through written examination
13 administered by the Department of Administration ("DOA") or a
14 competent authority, of the ability to recognize and understand
15 persons with disabilities, including special needs and mental
16 illness. DOA shall include a minimum of two (2) items within the
17 written examination relative to persons with disabilities, including
18 special needs and mental illness. For the purpose of this section,
19 the term disability(ies), as is defined in the *Americans with*
20 *Disabilities Act*, shall mean a physical or mental impairment that
21 substantially limits one (1) or more major life activities of an
22 individual."

23 **Section 3. Effective Date.** The provisions contained herein shall be
24 effective within ninety (90) days following enactment. The Guam Police
25 Department, in coordination with the Department of Mental Health and
26 Substance Abuse and the Department of Integrated Services for Individuals

1 with Disabilities, shall recommend examination items to DOA for
2 consideration prior to the implementation of this Act.

3 **Section 4. Severability.** If any provision of this Act or its
4 application to any person or circumstance is found to be invalid or contrary
5 to law, such invalidity shall not affect other provisions or applications of this
6 Act which can be given effect without the invalid provisions or application,
7 and to this end the provisions of this Act are severable.

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 270-31 (COR)

As Amended by the Committee on Public
Safety, Law Enforcement and Judiciary

Introduced by:

Adolpho B. Palacios, Sr.

AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ~~INCLUDING~~ REQUIRING POLICE OFFICERS TO RECEIVE TRAINING PERTINENT TO THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(a) and (b) RELATIVE TO THE POLYGRAPH EXAMINATION AND PHYSICAL STANDARDS REQUIREMENTS FOR POLICE OFFICERS, AND TO FURTHER ADD A NEW SUBSECTION (m) TO §41103, ARTICLE 1, CHAPTER 41, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE DUTIES OF THE DEPARTMENT OF INTEGRATED SERVICES FOR INDIVIDUALS WITH DISABILITIES.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan*

finds that legislative proposals were enacted during *I Mina' Trenta na Liheslaturan Guåhan* to help improve public services for individuals with disabilities. P.L. 30-99, enacted in March 2010, requires the Department of Revenue and Taxation to issue license plates or decalcomania (one [1] or the

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3 and instrumentalities of the government of Guam to ensure that individuals
4 with mobility disabilities are allowed to move to the front of the line for
5 customer service requests and remittance of payments.

6 In an effort to further raise awareness of the challenges with which
7 individuals with disabilities are confronted, *I Liheslatura* finds that public
8 safety and law enforcement personnel have a unique role in ensuring that
9 individuals with disabilities live and work in a safe community. As agents
10 of the law, public safety and law enforcement officers are trained to
11 recognize and appropriately deal with threats to the public.

12 *I Liheslaturan Guåhan* finds, however, that some public safety and
13 law enforcement personnel do not receive training on how to recognize and
14 handle situations involving individuals with disabilities, including special
15 needs and mental illness. Police Officers respond to numerous emergencies
16 every year, some of which may involve persons with special needs,
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18 they are dealing with individuals with disabilities can help ensure that
19 effective assessments are made and appropriate intervention techniques are
20 used. The ability to recognize persons with special needs will enhance
21 public safety responsiveness to their unique difficulties.

22 Therefore, it is the intent of *I Liheslaturan Guåhan*, as part of the
23 government of Guam's continuous efforts to improve services for
24 individuals with disabilities, to require that police officers demonstrate the
25 ability to recognize and understand persons with disabilities, including
26 special needs and mental illness. *I Liheslatura* intends to add a new
27 §77114(f) to Article 1, Chapter 77, Title 10, Guam Code Annotated, which

1 will require that applicants submit evidence of ~~demonstrate~~ such ability,
2 through a certificate of completion of the appropriate training as approved
3 by the Department of Integrated Services for Individuals with Disabilities
4 ~~established examination processes~~, as one of the conditions for selection
5 prior to their appointment as ~~a~~ police officers.

6 *I Liheslaturan Guåhan* further intends to amend §77114(a) and (b) of
7 Article 1, Chapter 77, Title 10, Guam Code Annotated relative to ~~the~~
8 polygraph examination and physical standards requirements for police
9 officers.

10 **Section 2. Police Officer Qualifications.** §77114(a) and (b) of
11 Article 1, Chapter 77, Title 10, Guam Code Annotated is hereby *amended*
12 and a new §77114(f) is hereby *added* to read:

13 **“§77114. Minimum Qualifications.**

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16 (1) be a resident of the Territory of Guam and a U.S. citizen;

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18 (3) be over the age of eighteen (18) years;

19 (4) be a high school graduate *or* equivalent, but the POST

20 Commission may set higher academic qualifications for all

21 applicants as the Commission considers necessary;

22 (5) submit to and pass a drug screening test, including but not

23 limited to a urinalysis test;

24 (6) submit to psychological testing; and

25 (7) submit to ~~and pass~~ a polygraph examination.

26 (b) No person shall be appointed a police officer who has not
27 established satisfactory evidence of qualifications by passing a

1 physical examination, which shall include a physical agility test,
2 and written examination(s) based upon standards relevant to the
3 duties to be performed, which standards shall be established by the
4 Chief of Police. ~~If in the Chief of Police's judgment, and in the~~
5 ~~best interest of the Department, the Chief of Police may waive the~~
6 ~~physical standards established for the position.~~

7 (c) No person shall be appointed a police officer who has been
8 convicted in any civilian or military court of a felony, a crime
9 involving moral turpitude, a crime of domestic or family violence,
10 or who has been administratively pardoned of any crime.

11 (d) No person shall be appointed a police officer before a thorough
12 investigation of the applicant's background and moral character is
13 completed.

14 (e) A police officer dismissed for cause shall be permanently
15 ineligible for reappointment to any position in the Department. An
16 officer who resigns for the sole purpose of negating or averting a
17 pending or anticipated disciplinary action to dismiss the officer
18 may be ineligible for reappointment.

19 (f) No person shall be appointed a police officer who has not
20 established satisfactory evidence, ~~through written examination~~
21 ~~administered by the Department of Administration ("DOA") or a~~
22 ~~competent authority,~~ of the ability to recognize and understand
23 persons with disabilities, including special needs and mental
24 illness. Evidence of such ability shall be by a certificate of
25 completion of the appropriate training as approved by the
26 Department of Integrated Services for Individuals with Disabilities,
27 as a condition for selection prior to appointment as a police officer.

1 ~~DOA shall include a minimum of two (2) items within the written~~
2 ~~examination relative to persons with disabilities, including special~~
3 ~~needs and mental illness.~~ For the purpose of this section, the term
4 disability(ies), as is defined in the *Americans with Disabilities Act*,
5 shall mean a physical or mental impairment that substantially
6 limits one (1) or more major life activities of an individual.

7 Incumbent uniformed officers who do not have a certificate of
8 completion of the training as required in this Act shall, within six
9 (6) months following the enactment of this Act, submit to the
10 Department of Administration such certification as required
11 herein.”

12 **Section 3. Department of Integrated Services for Individuals with**
13 **Disabilities Authorized to Develop Training Programs and Permit**
14 **Other Agencies and Educational Institutions to Provide Training. A**
15 new Subsection (m) is hereby added to §41103 of Article 1, Chapter 41,
16 Title 17, Guam Code Annotated, relative to the duties of the Department of
17 Integrated Services for Individuals with Disabilities.

18 “(m) The DISID shall develop a policy governing the training
19 and certification for government of Guam employees to provide
20 services to individuals with disabilities. Such government of Guam
21 employees shall include, but not be limited to, police officers,
22 firefighters, and correction officers. The DISID is authorized to
23 permit other government of Guam agencies and public and private
24 educational institutions to provide training relative to providing
25 services to individuals with disabilities, however, the DISID shall
26 certify the participants’ completion of such training activities.”

1 **Section 43. Effective Date.** The provisions contained herein shall be
2 effective within One Hundred and Twenty ~~ninety~~ (12090) days following
3 enactment. ~~The Guam Police Department, in coordination with the~~
4 ~~Department of Mental Health and Substance Abuse and the Department of~~
5 ~~Integrated Services for Individuals with Disabilities, shall recommend~~
6 ~~examination items to DOA for consideration prior to the implementation of~~
7 ~~this Act.~~

8 **Section 54. Severability.** If any provision of this Act or its
9 application to any person or circumstance is found to be invalid or contrary
10 to law, such invalidity shall not affect other provisions or applications of this
11 Act which can be given effect without the invalid provisions or application,
12 and to this end the provisions of this Act are severable.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

CHAIRMAN

Tuesday, September 27, 2011

Bill No. 270-31 (COR) – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.

NAME (Please Print)	AGENCY/ORGANIZATION	CONTACT NUMBER	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR
Ben S. Seorino	DIS ID	475-4646	✓	✓	✓	



Benito "Ben" Servino
DIRECTOR

Department of Integrated Services for Individuals with Disabilities

Dipattamenton Programa Para I Maninutet
Government of Guam



Eddie Baza Calvo
GOVERNOR

Ray Tenorio
LIEUTENANT GOVERNOR

September 27, 2011

Honorable Senator Adolpho B. Palacios, Sr.

Chairman, Committee on Public Safety, Law Enforcement & Judiciary
31st Guam Legislature, 155 Hesler Place, Hagåtña, GU 96910

Subject: Testimony in Support for Bill No. 270-31(COR) – Senator Adolpho B. Palacios, Sr.

AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO THE PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS

Buenas yan Hafa Adai Senator Palacios and Members of the Committee on Public Safety, Law Enforcement & Judiciary.

My name is Ben S. Servino, and I currently serve as the Director for the Department of Integrated Services for Individuals with Disabilities (DISID).

I have reviewed Bill 270-31 (COR) and personally commend you and the members of the committee in your efforts to address the challenges with which individuals with disabilities (especially those with severe cognitive and intellectual disabilities and mental illness) are confronted with each day.

The intent of Bill 270-31 (COR) will help to ensure that our Law Enforcement Personnel are qualified and have the ability to recognize and handle situations involving individuals with disabilities so that effective assessments and appropriate interventions could be utilized.

I would like to recommend that the written exam which is to be administered by the Department of Administration (DOA) have a minimum of five (5) items within the written examination that is relative to persons with disabilities and that ongoing training be provided upon passing the exam.

DISID is willing to serve as a resource in this endeavor and have already taken the liberty to meet with GPD staff to discuss training strategies and collaborating with Department of Administration (DOA), Department of Mental Health & Substance Abuse (DMHSA), the Guam Developmental Disabilities Council (GDCC), and our community partners such as the Autism Community Together (ACT).

I thank you for providing me this opportunity to provide input on Bill 270-31 (COR).

Sincerely,

BENITO S. SERVINO
Director, DISID

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 270-31 (COR)**

AN ACT TO ADD A NEW §77114(f) TO ARTICLE I, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO THE PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Police Department	Dept./Agency Head: Fred Bordallo, Chief of Police
Department's General Fund (GF) appropriation(s) to date:	24,029,815
Department's Other Fund (Specify) appropriation(s) to date:	570,110
Total Department/Agency Appropriation(s) to date:	524,599,925

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance ¹		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-196)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? // Yes /x/ No
If Yes, see attachment
2. Is amount appropriated adequate to fund the intent of the appropriation? /x/ N/A // Yes / / No
If no, what is the additional amount required? \$ // N/A
3. Does the Bill establish a new program/agency? // Yes /x/ No
If yes, will the program duplicate existing programs/agencies? // N/A // Yes /x/ No
Is there a federal mandate to establish the program/agency? // Yes /x/ No
4. Will the enactment of this Bill require new physical facilities? // Yes /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes /x/ No
// Requested agency comments not received by due date // Other: _____

Analyst: M Quinata Date: _____ Director: John A. Rios, Acting Director, BBMR Date: 8/24/11

Footnotes:

The Bill will require physical standards relevant to the duties to be performed as a Police Officer. The bill will also require potential Police Officer appointees to demonstrate the ability to recognize persons with disabilities. This requirement may result in additional costs to provide the proper training and testing to determine a candidates ability. However, in its present form, that impact can not be determined at this time.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

2011
35th
8:42

July 20, 2011

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

MEMORANDUM

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

MAJORITY MEMBERS:

Speaker
Judith T. Won Pat

From: Senator Rory J. Respicio

Vice Speaker
Benjamin J. F. Cruz

Subject: Referral of Bill Nos. 269-31 (COR) through 273-31 (COR)

Senator
Tina Rose Muña Barnes
LEGISLATIVE SECRETARY
MAJORITY WHIP

As the Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 269-31 (COR) through 273-31 (COR).

Senator
Dennis G. Rodriguez, Jr.
ASST. MAJORITY WHIP

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Should you have any questions, please feel free to contact our office at 472-7679.

Senator
vicente c. pangelinan

Si Yu'os Ma'åse!

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

(4) Attachment

Senator
Christopher M. Duenas

I Mina'Trentai Unu Na Liheslaturan Guåhan

Bill Log Sheet

July 19, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
270-31 (COR)	A. B. Palacios, Sr.	AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO THE PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS.	07/19/11 4:42 p.m.	7/20/11		Committee on Public Safety, Law Enforcement and Judiciary			
271-31 (COR)	A. B. Palacios, Sr.	AN ACT TO ADD A NEW §77113.1 TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.	07/19/11 4:42 p.m.	7/20/11		Committee on Public Safety, Law Enforcement and Judiciary			

Date: Monday, September 19, 2011 10:26 AM

- **Bill No. 270-31 (COR) – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.**

- **Bill No. 271-31 (COR)** – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO **REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.** – by Senator Adolpho B. Palacios, Sr.
- **Bill No. 284-31 (COR)** – AN ACT TO ADD A NEW SUBITEM (15) TO §75100(a) OF CHAPTER 75, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE **DEFINITION OF LAW ENFORCEMENT PERSONNEL, EMPLOYEE, OR POSITION EXCLUDED FROM THE APPLICATION OF THE PROVISION OF “SAFE HARBOR”.** – by Senator Chris Duenas
- **Bill No. 286-31 (COR)** – AN ACT RELATIVE TO **GRANTING INCREASED AUTONOMY ON FINANCIAL AND PERSONNEL MATTERS TO THE OFFICE OF THE ELECTED ATTORNEY GENERAL,** BY AMENDING §30109 AND §30118, AND BY ADDING A NEW §30121, §30121.1 AND §30121.2, ALL OF CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED. – by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained thru Senator Palacios' website at www.senatorpalacios.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place , Hagatna, Guam 96910, or via email to senator@senatorpalacios.com, or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

###

Priscilla T. Cruz

Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING
Tuesday, September 27, 2011 – 8:30 a.m.

FOR IMMEDIATE RELEASE
(Hagatna, Guam – September 19, 2011)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a public hearing starting at **8:30 a.m., Tuesday, September 27, 2011** at **Liheslaturan Guåhan's Public Hearing Room** in **Hagåtña**, based on the following schedule:

8:30 a.m.:

- **Bill No. 237-31 (COR) – AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING. – by Senator V. Anthony Ada**
- **Bill No. 265-31 (COR) – AN ACT TO ADD A NEW SUBITEM (d) TO § 34105 AND TO AMEND § 34134, AND TO ADD A NEW § 34134.1, ALL OF 34 TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO CHILD SUPPORT ALTERNATIVES IN THE EVENT OF THE DEATH OF A NON-CUSTODIAL PARENT. – by Senator R. J. Respicio**
- **Bill No. 266-31 (COR) – AN ACT TO ADD A NEW SUBSECTION § 34132.3 TO § 34132 OF TITLE 5 GUAM CODE ANNOTATED, CHAPTER 34, RELATIVE TO ESTABLISHING THAT NO STATUTE OF LIMITATIONS SHALL EXIST ON THE COLLECTION OF PAST DUE CHILD SUPPORT OBLIGATIONS. – by Senator R. J. Respicio**
- **Bill No. 269-31 (COR) – AN ACT TO REPEAL AND REENACT § 85.20 OF TITLE 8 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PRELIMINARY EXAMINATION OF JURORS. – by Vice Speaker Benjamin J. F. Cruz**

1:30 p.m.:

- **Bill No. 270-31 (COR) – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.**



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

1:30 p.m. (cont'd):

- **Bill No. 271-31 (COR)** – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS. – by Senator Adolpho B. Palacios, Sr.
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Broadcast Report

P 1

09/19/2011 10:44

Serial No. A02E011003085

TC: 149752

Destination	Start Time	Time	Prints	Result	Note
PDN	09-19 10:27	00:01:11	002/002	OK	
KJAM	09-19 10:29	00:00:56	002/002	OK	
PNC	09-19 10:30	00:00:38	002/002	OK	
K57	09-19 10:31	00:00:32	002/002	OK	
HIT RADIO 100	09-19 10:32	00:00:33	002/002	OK	
KSTO	09-19 10:33	00:01:18	002/002	OK	
GLIMPSES	09-19 10:34	00:00:33	002/002	OK	
MARIANAS VARIETY	09-19 10:35	00:00:33	002/002	OK	
KSTEREO/KISH	09-19 10:37	00:01:18	002/002	OK	
JOY 92 FM	09-19 10:38	00:00:32	002/002	OK	
KPRG	09-19 10:43	00:00:56	000/002	No Ans	

Note TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX, MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax, BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-Code, RTX: Re-TX, RLY: Relay, MBX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax, I-FAX: Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full, LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error, DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina Trental Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

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FOR IMMEDIATE RELEASE
(Hagåtña, Guam – September 19, 2011)

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1:30 p.m.:

- **Bill No. 270-31 (COR)** – AN ACT TO ADD A NEW §77114(f) TO ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO INCLUDING THE SUBJECT OF PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.

Subject: First Notice of Public Hearing scheduled for Sept. 27th.

From: Priscilla Cruz (pris@senatorpalacios.com)

To: phnotice@guamlegislature.org; telo.taitague@guam.gov;
sabrina@kuam.com; jason@kuam.com; mindy@kuam.com; hottips@kuam.com; news@guampdn.com;
mpieper@guampdn.com; dmgeorge@guampdn.com; egthompson@guampdn.com;

Cc: mvariety@pticom.com; therese@mvguam.com; zita@mvguam.com; news@spbgum.com;
clynt@spbgum.com; jtyquiengco@spbgum.com; news@k57.com; jontalk@k57.com;
rgibson@k57.com; kstone@ite.net;

Date: Tuesday, September 20, 2011 2:45 PM

PRESS RELEASE

FIRST NOTICE OF PUBLIC HEARING Tuesday, September 27, 2011 – 8:30 a.m.

FOR IMMEDIATE RELEASE

(Hagatna, Guam – September 20, 2011)

In accordance with the Open Government Law, Public Law No. 24-109, relative to notice for public meetings, please be advised that the Committee on Public Safety, Law Enforcement and Judiciary will be conducting a public hearing starting at **8:30 a.m., Tuesday, September 27, 2011** at *I Liheslaturan Guåhan's Public Hearing Room* in *Hagåtña*, based on the following schedule:

8:30 a.m.:

- **Bill No. 237-31 (COR) – AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING. – by Senator V. Anthony Ada**
- **Bill No. 265-31 (COR) – AN ACT TO ADD A NEW SUBITEM (d) TO § 34105 AND TO AMEND § 34134, AND TO ADD A NEW § 34134.1, ALL OF 34 TITLE 5 GUAM CODE ANNOTATED, RELATIVE TO CHILD SUPPORT ALTERNATIVES IN THE EVENT OF THE DEATH OF A NON-CUSTODIAL PARENT. – by Senator R. J. Respicio**
- **Bill No. 266-31 (COR) – AN ACT TO ADD A NEW SUBSECTION § 34132.3 TO § 34132 OF TITLE 5 GUAM CODE ANNOTATED, CHAPTER 34, RELATIVE TO ESTABLISHING THAT NO STATUTE OF LIMITATIONS SHALL EXIST ON THE COLLECTION OF PAST DUE CHILD SUPPORT OBLIGATIONS. – by Senator R. J. Respicio**
- **Bill No. 269-31 (COR) – AN ACT TO REPEAL AND REENACT § 85.20 OF TITLE 8 OF THE GUAM CODE ANNOTATED RELATIVE TO THE PRELIMINARY EXAMINATION OF JURORS. – by Vice Speaker Benjamin J. F. Cruz**

1:30 p.m.:

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DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS AS A COMPONENT WITHIN THE WRITTEN EXAMINATION FOR INDIVIDUALS APPLYING TO SERVE AS POLICE OFFICERS, AND TO FURTHER AMEND §77114(b) RELATIVE TO PHYSICAL STANDARDS REQUIREMENT FOR POLICE OFFICERS. – by Senator Adolpho B. Palacios, Sr.

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- **Bill No. 286-31 (COR) – AN ACT RELATIVE TO GRANTING INCREASED AUTONOMY ON FINANCIAL AND PERSONNEL MATTERS TO THE OFFICE OF THE ELECTED ATTORNEY GENERAL, BY AMENDING §30109 AND §30118, AND BY ADDING A NEW §30121, §30121.1 AND §30121.2, ALL OF CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED. – by Senator Adolpho B. Palacios, Sr.**

Copies of the aforementioned Bills may be obtained thru Senator Palacios’ website at www.senatorpalacios.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place , Hagatna, Guam 96910, or via email to senator@senatorpalacios.com, or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

###

Priscilla T. Cruz

Administrative Officer

Office of Senator A. B. Palacios, Sr.

155 Hesler Pl.

Hagatna, Guam 96910

472-5047/5048



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Tuesday, September 27, 2011 – 8:30 a.m.

FOR IMMEDIATE RELEASE
(Hagatna, Guam – September 23, 2011)

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1:30 p.m.:

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina'Trentai Unu Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

1:30 p.m. (cont'd):

- **Bill No. 271-31 (COR)** – AN ACT TO ADD A NEW §77113.1(f) TO §77113 OF ARTICLE 1, CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO **REQUIRING THAT NO PERSON BE APPOINTED TO THE RANKS OF POLICE SERGEANT AND POLICE LIEUTENANT WHO FAILS TO PASS A PHYSICAL AGILITY TEST AND WRITTEN EXAMINATION RELATIVE TO PERSONS WITH DISABILITIES, INCLUDING SPECIAL NEEDS AND MENTAL ILLNESS.** – by Senator Adolpho B. Palacios, Sr.
- **Bill No. 284-31 (COR)** – AN ACT TO ADD A NEW SUBITEM (15) TO §75100(a) OF CHAPTER 75, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE **DEFINITION OF LAW ENFORCEMENT PERSONNEL, EMPLOYEE, OR POSITION EXCLUDED FROM THE APPLICATION OF THE PROVISION OF "SAFE HARBOR".** – by Senator Chris Duenas
- **Bill No. 286-31 (COR)** – AN ACT RELATIVE TO **GRANTING INCREASED AUTONOMY ON FINANCIAL AND PERSONNEL MATTERS TO THE OFFICE OF THE ELECTED ATTORNEY GENERAL, BY AMENDING §30109 AND §30118, AND BY ADDING A NEW §30121, §30121.1 AND §30121.2, ALL OF CHAPTER 30, DIVISION 3, TITLE 5, GUAM CODE ANNOTATED.** – by Senator Adolpho B. Palacios, Sr.

Copies of the aforementioned Bills may be obtained thru Senator Palacios' website at www.senatorpalacios.com. Testimonies should be addressed to Senator Adolpho B. Palacios, Sr., Chairperson, and will be accepted via hand delivery to our office, our mailbox at the main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910, or via email to senator@senatorpalacios.com, or via facsimile to (671) 472-5022. Individuals requiring special accommodations or services, or for more information, please contact Julian Janssen or Jennifer Dulla at (671) 472-5047/5048.

###

Subject: Second Notice of Public Hearing scheduled for Sept. 27th.

From: Priscilla Cruz (pris@senatorpalacios.com)

To: phnotice@guamlegislature.org; telo.taitague@guam.gov; troy.torres@guam.gov;
communication@guam.gov;

Cc: sabrina@kuam.com; jason@kuam.com; mindy@kuam.com; nick@kuam.com; nick.delgado@kuam.com;
clynt@spbgum.com; jtyquiengco@spbgum.com; kevin@spbgum.com; news@guampdn.com;
rlimtiaco@guampdn.com; slimtiaco@guampdn.com; egthompson@guampdn.com;
dcrisost@guampdn.com; dmgeorge@guampdn.com; mpieper@guampdn.com; life@guampdn.com;
amier@mvguam.com; zytaitano@mvguam.com; therese.hart.writer@gmail.com; editor@mvguam.com;
mabuhaynews@yahoo.com; publisher@glimpsesofiguam.com; managingeditor@glimpsesofiguam.com;
kstonews@ite.net; ksto@ite.net; kstokish@gmail.com; rgibson@k57.com; parroyo@k57.com;
tcoffman@k57.com; thebigshow@k57.com; news@k57.com; ricknauta@hitradio100.com;

Date: Friday, September 23, 2011 10:32 AM

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING

Tuesday, September 27, 2011 – 8:30 a.m.

FOR IMMEDIATE RELEASE

(Hagåtña, Guam – September 23, 2011)

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8:30 a.m.:

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###

Priscilla T. Cruz

Administrative Officer
Office of Senator A. B. Palacios, Sr.
155 Hesler Pl.
Hagatna, Guam 96910
472-5047/5048

Broadcast Report

P 1

09/23/2011 11:28

Serial No. A02E011003085

TC: 150602

Destination	Start Time	Time	Prints	Result	Note
PDN	09-23 11:10	00:01:16	002/002	OK	
KUAM	09-23 11:11	00:00:41	002/002	OK	
PNC	09-23 11:12	00:00:36	002/002	OK	
K57	09-23 11:13	00:00:31	002/002	OK	
HIT RADIO 100	09-23 11:15	00:00:33	002/002	OK	
KSTO	09-23 11:16	00:01:16	002/002	OK	
GLIMPSES	09-23 11:18	00:00:33	002/002	OK	
MARIANAS VARIETY	09-23 11:20	00:00:32	002/002	OK	
KSTEREO/KISH	09-23 11:21	00:01:35	002/002	OK	
JOY 92 FM	09-23 11:23	00:00:40	002/002	OK	
KPRG	09-23 11:27	00:00:56	000/002	No Ans	

Note

TMR: Timer TX, POL: Polling, ORG: Original Size Setting, FME: Frame Erase TX,
 MIX: Mixed Original TX, CALL: Manual TX, CSRC: CSRC, FWD: Forward, PC: PC-Fax,
 BND: Double-Sided Binding Direction, SP: Special Original, FCODE: F-code, RTX: Re-TX,
 RLV: Relay, MEX: Confidential, BUL: Bulletin, SIP: SIP Fax, IPADR: IP Address Fax,
 I-FAX: Internet Fax

Result

OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full: Memory Full,
 LOVR: Receiving length Over, POVER: Receiving page Over, FIL: File Error,
 DC: Decode Error, MDN: MDN Response Error, DSN: DSN Response Error.



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY
I Mina' Trental Unu Na Libeslaturan Gudhan

SENATOR ADOLPHO B. PALACIOS, SR.
Chairman

PRESS RELEASE

SECOND NOTICE OF PUBLIC HEARING
Tuesday, September 27, 2011 – 8:30 a.m.

FOR IMMEDIATE RELEASE
(Hagatna, Guam – September 23, 2011)

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COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT & JUDICIARY

I Mina'Trentai Uno Na Liheslaturan Guåhan

SENATOR ADOLPHO B. PALACIOS, SR.

Chairman

PUBLIC HEARING

Tuesday, September 27, 2011

I Liheslaturan Guåhan's Public Hearing Room, Hagatña

AGENDA

- I. Call to Order**
- II. Opening Remarks/Announcements**
- III. Items for Discussion:**

8:30 a.m.:

- **Bill No. 237-31 (COR) – AN ACT ADD A NEW §70.45 TO CHAPTER 70 OF 9GCA RELATIVE TO BLACKLISTING. – by Senator V. Anthony Ada**
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1:30 p.m. (cont'd):

Office/Mailing Address: 155 Hesler Place, Hagatña, Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022

Email: SenABPalacios@gmail.com • Website: www.senatorpalacios.com

- **Bill No. 284-31 (COR) – AN ACT TO ADD A NEW SUBITEM (15) TO §75100(a) OF CHAPTER 75, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE DEFINITION OF LAW ENFORCEMENT PERSONNEL, EMPLOYEE, OR POSITION EXCLUDED FROM THE APPLICATION OF THE PROVISION OF “SAFE HARBOR”. – by Senator Chris Duenas**
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IV. Closing Remarks

V. Adjournment