

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

Bill No. 25-31(cor)

Introduced by:

ADOLPHO B. PALACIOS, SR.

2011 FEB - 8 - 8 PM 7:22
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[Signature]

AN ACT RELATIVE TO PROVIDING THE GUAM
COMMUNITY POLICE REVIEW COMMISSION
WITH ADMINISTRATIVE AND CLERICAL
SUPPORT NECESSARY FOR THE CONDUCT OF
ITS ACTIVITIES, AND ALLOWING FOR THE
APPOINTMENT OF AN INTERIM CHAIRPERSON;
THROUGH ADDING A NEW SECTION “§78103.1”
AND NEW SUBSECTIONS “(A.1)” AND “(D.1)” TO
SECTION §78103 ALL TO CHAPTER 78 OF TITLE 10,
GUAM CODE ANNOTATED.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

3 I Liheslaturan Guahan finds that the Community Partnership
4 for Police Accountability Law of 1999 established the Guam
5 Community Police Review Commission for the purpose of receiving
6 and investigating allegations of misconduct on the part of an
7 employee or employees of the Guam Police Department, and
8 providing a report on its findings and presenting recommendations
9 on any proposed action to be implemented in an effort to address
10 concerns by the community. Since the enactment of this mandate, the
11 Commission members have yet to be appointed and empanelled,

1 which could be a result of the need to identify and ensure that the
2 Commission receives administrative support necessary to initiate and
3 to perform its activities.

4 Therefore, this provision would require that Commission
5 members be appointed by the respective appointing authorities and
6 that the Guam Police Department provide the administrative and
7 operational support that is needed for the Commission to carry out
8 its activities in addressing community complaints and concerns.

9 **Section 2. Appointment Documents.**

10 A new subsection "(a.1)" is hereby added to Section §78103 of
11 Chapter 78, Title 10, Guam Code Annotated, relative to the
12 appointment of members of the Commission, to read as follows:

13 "(a.1). The Guam Police Department shall be responsible
14 for the receipt and retention of any and all appointment
15 documents of the members of the Commission, and shall
16 notify I Maga'lahaen Guahan and I Liheslaturan Guahan,
17 where applicable, of such appointments and expiration of
18 terms no later than fifteen (15) days following the receipt or
19 acknowledgement of such timelines."

20 **Section 3. Appointment of an Interim Chairperson to the**
21 **Commission.**

1 A new subsection “(d.1)” is hereby added to Section §78103
2 of Chapter 78 of Title 10, Guam Code Annotated, relative to the
3 appointment of an Interim Chairperson for the Commission, to
4 read as follows:

5 “(d.1). The Maga’lahen Guahan shall appoint an interim
6 chairperson from among his/her appointments to conduct the
7 initial meeting for the Commission, and shall serve until such
8 time that the Commission members, in accordance with the
9 provisions of this Chapter, selects its Chairperson and other
10 leadership.”

11 **Section 4. Administrative Support for the Commission.**

12 A new Section §78103.1 is hereby added to Chapter 78 of Title
13 10, Guam Code Annotated, relative to the administrative support
14 for the Guam Community Police Review Commission, to read as
15 follows:

16 **“§78103.1. Administrative Support for the Commission.**

17 The Guam Police Department, through the Chief of Police, is
18 hereby designated to provide the necessary administrative
19 and clerical support, to include a meeting place, to the
20 Commission, and shall ensure that the administrative
21 provisions contained in this Chapter are properly adhered to.
22 The Chairperson of the Commission, in cooperation with the

1 Chief of Police, may request for budgetary support from I
2 Liheslaturan Guahan in the Guam Police Department's
3 annual budget submission, which shall be so identified."

4 **Section 5. Effective Date.**

5 The provisions contained herein shall be effective upon the
6 enactment of this Act.

7 **Section 6. Severability.**

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