

FILE COPY

**I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session**

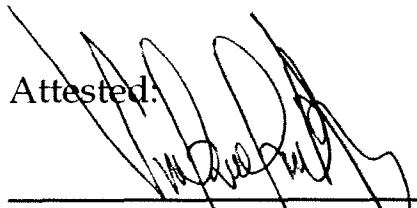
**CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN**

This is to certify that **Bill No. 60 (COR), "AN ACT TO ESTABLISH MINIMUM QUALIFICATIONS FOR MANAGEMENT LEVEL UNIFORMED POSITIONS IN THE GUAM POLICE DEPARTMENT, BY ADDING NEW §§ 77110.2, 77110.3 AND 77110.4 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED,"** was on the 29<sup>th</sup> day of May 2009, duly and regularly passed.



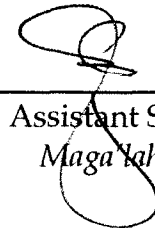
**Judith T. Won Pat, Ed. D.  
Speaker**

Attested:



**Tina Rose Muña Barnes  
Legislative Secretary**

This Act was received by *I Maga'lahaen Guåhan* this 4 day of June, 2009, at 9 o'clock 55 A.M.



**Assistant Staff Officer  
*Maga'lahaen's* Office**

APPROVED:

**FELIX P. CAMACHO  
*I Maga'lahaen Guåhan***

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**I MINA'TRENTA NA LIHESLATURÁN GUÅHAN**  
**2009 (FIRST) Regular Session**

**Bill No. 60 (COR)**

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

T. C. Ada

F. B. Aguon, Jr.

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith P. Guthertz, DPA

T. R. Muña Barnes

v. c. pangelinan

M. J. Rector

R. J. Respicio

Telo Taitague

Ray Tenorio

Judith T. Won Pat, Ed.D.

**AN ACT TO ESTABLISH MINIMUM  
QUALIFICATIONS FOR MANAGEMENT LEVEL  
UNIFORMED POSITIONS IN THE GUAM POLICE  
DEPARTMENT, BY *ADDING* NEW §§ 77110.2, 77110.3  
AND 77110.4 TO CHAPTER 77 OF TITLE 10, GUAM  
CODE ANNOTATED.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that recent events concerning the filling of a Guam Police Captain position raised  
4 questions and serious concerns regarding the propriety and timing by which the  
5 qualifications for the position was revised, and then filled immediately on the spot,  
6 by a candidate who would *not* have otherwise qualified *if* the qualifications

1 requirements were *not* lowered. *I Liheslaturan Guåhan* believes that the lowering  
2 of the standards was *not* necessary and *not* justified, in light of the fact that  
3 sufficient numbers of candidates have already met the higher standards which were  
4 in place *prior* to the revisions. Immediately *prior* to, and leading up to the  
5 adoption by the Department of Administration of the revised standards, *I*  
6 *Liheslaturan Guåhan* received complaints and grievances from incumbent police  
7 officers of what they perceived as a politically motivated action in the lowering of  
8 the standards. For example, leading up to the few days *prior* to the approval by the  
9 Department of Administration of the revised qualifications for the uniformed  
10 positions, one of which was the “Police Captain”, *I Liheslaturan Guåhan* received  
11 complaints that a “GG-1” had already been signed, clearing the way for the filling  
12 of the position by a Won Pat International Airport Authority employee. In  
13 addition, police officers have expressed discontent that their testimonies which  
14 they presented during a series of meetings held by the Guam Police Department  
15 were *not* considered at all. They expressed further that the approval of the  
16 proposed revisions, then, was a forgone conclusion.

17 *I Liheslaturan Guåhan* finds that it is *not* unprecedented that minimum  
18 qualifications for a uniformed staff position in the Guam Police Department (GPD)  
19 were established by law, i.e. “Police Commander” (§77110.1). In fact, GPD  
20 attempted to revise and lower the qualifications for the Police Commander, only to  
21 find out in the process that the revision can *only* be done through an amendment to  
22 an existing statute. The Police Commander, with the rank of “Colonel,” is the  
23 highest uniformed classified position in GPD, established by §77110.1 of Title 10,  
24 Guam Code Annotated.

25 It is the intent of *I Liheslaturan Guåhan*, therefore, to re-instate the  
26 minimum qualifications for: Police Major, Police Captain and Police Lieutenant by

1 adding new §§77110.2, 77110.3 and 77110.4 to Chapter 77 of Title 10, Guam  
2 Code Annotated.

3 **Section 2.** New §§ 77110.2, 77110.3 and 77110.4 are hereby *added* to  
4 Chapter 77, Title 10, Guam Code Annotated, to read as follows:

5 **“§77110.2. Police Major.** A Police Major *shall* be a uniformed  
6 classified officer and *shall* meet the following minimum qualifications,  
7 experience, and training, in addition to those prescribed by the Department  
8 of Administration:

9 (a) graduated with a bachelor’s degree in Police Science,  
10 Criminal Justice Administration, Public Administration, *or* closely  
11 related field or discipline, at a nationally accredited institution;

12 (b) must have at least two (2) years of experience in the rank  
13 of Police Captain, *or* equivalent law enforcement experience in  
14 administration *or* management level; and

15 (c) other necessary special qualifications as established by  
16 the Department of Administration *not* inconsistent with (a) and (b)  
17 above.

18 **§77110.3. Police Captain.** A Police Captain *shall* be a uniformed  
19 classified officer and *shall* meet the following minimum qualifications,  
20 experience, and training, in addition to those prescribed by the Department  
21 of Administration:

22 (a) graduated with a bachelor’s degree in Police Science,  
23 Criminal Justice Administration, Public Administration, *or* closely  
24 related field or discipline, at a nationally accredited institution;

25 (b) must have at least two (2) years of experience in the rank  
26 of Police Lieutenant, *or* equivalent law enforcement experience in  
27 administration *or* management level; and

1 (c) other necessary special qualifications as established by  
2 the Department of Administration *not* inconsistent with (a) and (b)  
3 above.

4 **§77110.4. Police Lieutenant.** A Police Lieutenant *shall* be a  
5 uniformed classified officer and *shall* meet the following minimum  
6 qualifications, experience, and training, in addition to those prescribed by  
7 the Department of Administration:

8 (a) graduated with an Associate's Degree in Police Science,  
9 Criminal Justice Administration, Public Administration, *or* closely  
10 related field or discipline, at a nationally accredited institution, *or*  
11 successful completion of *not less than* seventy-five (75) college  
12 credits, seventy-five percent (75%) of which are in the field of Law  
13 Enforcement, Public Safety, *or* closely related field of discipline, at a  
14 nationally accredited institution;

15 (b) must have at least two (2) years of experience in the rank  
16 of Police Sergeant II, *or* equivalent law enforcement supervisory  
17 experience, *or* must have at least four (4) years of experience in the  
18 rank of Police Sergeant I, *or* equivalent law enforcement supervisory  
19 experience; and

20 (c) other necessary special qualifications as established by  
21 the Department of Administration *not* inconsistent with (a) and (b)  
22 above.”

23 **Section 3. No Extension to Current List.** Notwithstanding the  
24 Department of Administration rules and regulations and the authority of the  
25 Director of Administration to extend the life of the eligibility list, the current  
26 eligibility list now in effect for the positions of Police Lieutenant, Police Captain,

1 and Police Major *shall not* be extended and *shall* expire one (1) year from the date  
2 it was established.