

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. 62 (COR), "AN ACT TO AMEND §§77109 AND 77110, CHAPTER 77 OF TITLE 10, GCA, RELATIVE TO THE APPOINTMENT OF THE CHIEF OF POLICE AND THE DEPUTY CHIEF OF POLICE," was on the 3<sup>rd</sup> day of April, 2009, duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

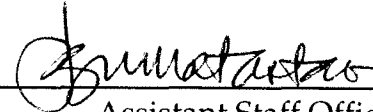
Attested



Tina Rose Muña Barnes  
Senator and Secretary of the Legislature

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This Act was received by *I Maga'lahaen Guåhan* this 6 day of April, 2009, at 4:45 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:

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

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

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

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

**Bill No. 62 (COR)**

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

Ray Tenorio

T. C. Ada

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F. B. Aguon, Jr.

T. R. Muña Barnes

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith Paulette Guthertz, DPA

v. c. pangelinan

M. J. Rector

R. J. Respicio

Telo Taitague

Judith T. Won Pat, Ed. D.

**AN ACT TO *AMEND* §§77109 AND 77110, CHAPTER 77 OF  
TITLE 10, GCA, RELATIVE TO THE APPOINTMENT OF  
THE CHIEF OF POLICE AND THE DEPUTY CHIEF OF  
POLICE.**

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

2        **Section 1. Legislative Statement, Findings and Intent.** Subsection (c) of  
3 both §§77109 and 77110 of 10 GCA requires a bachelor's degree, which is a four  
4 (4)-year degree program. Subsection (d) of both Sections provides for an  
5 alternative to the subsection (c) requirement. *I Liheslaturan Guåhan* finds that the  
6 trainings in subsection (d) can be completed in a twelve (12)-month period, as  
7 opposed to the four (4)-year degree program. *I Liheslaturan Guåhan* further finds

1 that the Federal Bureau of Investigation National Academy training and the  
2 Northwestern Traffic Institute Police Staff Command (NWTI/PSC) Course are  
3 both conducted in the United States mainland. Opportunities for attendance in  
4 either training course are very limited and very restrictive. For example, the  
5 Federal Bureau of Investigation National Academy training is by invitation *only*,  
6 and limited to *not more than* two (2) from the Guam Police Department (GPD).  
7 The NWTI/PSC Course is a nine (9)-month course and is held in Chicago, Illinois.  
8 Attendance to this training is at the expense of GPD (*if* GPD employee), to include  
9 full salary status and per diem allowance. Several individuals who may be  
10 interested in the position of Chief of Police *or* Deputy Chief of Police have  
11 expressed that those officers who were fortunate to attend one (1) of the two (2)  
12 training courses were, in fact, granted a “short-cut” to the four (4)-year degree  
13 requirement, thus placing them at an unfair advantage over those with a four (4)-  
14 year college degree, but did *not* have the stateside training.

15 It is, therefore, the intent of *I Liheslaturan Guåhan* to “even the playing  
16 field” and thus provide for an equal opportunity in competing for the positions of  
17 Chief of Police and Deputy Chief of Police, by deleting subsection (d) of §§77109  
18 and 77110 of 10 GCA.

19 **Section 2.** §77109 of Chapter 77, Title 10, Guam Code Annotated is  
20 hereby *amended* to read:

21 **“§77109. Appointment of the Chief of Police.** The Chief of  
22 Police *shall* be appointed by *I Maga’lahi* with the advice and consent of *I*  
23 *Liheslaturan Guåhan* and *shall* meet the following qualifications:

24 (a) be at least thirty-five (35) years of age;

25 (b) have *no less than* fifteen (15) years of progressive  
26 experience in a governmental law enforcement position, including at  
27 least five (5) years at the supervisory command level and five (5)

1 years in a senior position with law enforcement management  
2 responsibilities;

3 (c) graduation with a bachelor's degree or higher in Police  
4 Science, Criminal Justice Administration, Public Administration,  
5 Law, *or* closely related field *or* discipline, at an accredited institution  
6 recognized by the Council of Higher Education Accreditation (CHEA)  
7 *or* its successors;

8 (d) have no felony, domestic *or* family violence convictions;

9 (e) submit to and pass a drug screening test, including, but  
10 *not limited to*, urinalysis testing;

11 (f) be of good health and good moral character;

12 (g) submit to psychological testing; and

13 (h) submit to and pass a polygraph examination;

14 (i) *No person shall* be appointed as Chief of Police before a  
15 thorough investigation of the appointee's background and moral  
16 character is completed."

17 **Section 3.** §77110 of Chapter 77, Title 10, Guam Code Annotated, is  
18 hereby *amended* to read:

19 **"§77110. Appointment of Deputy Chief of Police.** The Chief of  
20 Police *shall* appoint a Deputy Chief of Police who *shall* occupy a position in  
21 the unclassified service. The Deputy Chief of Police *shall* perform the duties  
22 as designated by the Chief of Police. The Deputy Chief *shall* meet the  
23 following qualifications:

24 (a) be at least thirty-five (35) years of age;

25 (b) have *no less than* ten (10) years of progressive  
26 management experience in local *or* Federal governmental law

1 enforcement, including at least three (3) years in an executive  
2 command level position;

3 (c) graduation with a bachelor's degree *or* higher in Police  
4 Science, Criminal Justice Administration, Public Administration,  
5 Law, *or* closely related field *or* discipline, at an accredited institution  
6 recognized by the Council of Higher Education Accreditation (CHEA)  
7 *or* its successor;

8 (d) have *no* felony, domestic *or* family violence convictions;

9 (e) submit to and pass a drug screening test, including, but  
10 *not limited to*, a urinalysis test;

11 (f) be of good health and good moral character;

12 (g) submit to psychological testing; and

13 (h) submit to and pass a polygraph examination;

14 (i) *No person shall* be appointed as Deputy Chief of Police  
15 before a thorough investigation of the appointee's background and  
16 moral character is completed."