33GL CLERKS OFFICE Bill HISTORY 10/31/2016 2:14 PM

#### I Mina'Trentai Tres Na Liheslaturan Received Bill Log Sheet

						PUBLIC	DATE	
BILL			DATE	DATE	CMTE	HEARING	COMMITTEE	
NO.	SPONSOR	TITLE	INTRODUCED	REFERRED	REFERRED	DATE	REPORT FILED	FISCAL NOTES
	V. Anthony Ada	AN ACT TO AMEND §66103 OF CHAPTER 60 OF	06/15/16	06/15/16	Committee on the	09/19/16	10/31/16	Fiscal Note
226.22	F. B. Aguon, Jr.	10GCA AND §50101(B) OF CHAPTER 50 OF 17	4:12 p.m.		Guam U.S. Military	2:00 p.m.	1:59 p.m.	Request
336-33	Brant T. McCreadie	GCA RELATIVE TO THE TRAINING REQUIREMENTS			Relocation, Public			06/22/16
(LS)		FOR MEMBERS OF THE CIVILIAN VOLUNTEER			Safety and Judiciary			
		POLICE RESERVES (CVPR).						



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN I 33RD GUAM LEGISLATURE



Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

> Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker Dr. Judith T. Won Pat. Ed.D Ex-Officio

#### OCT 2 6 2016

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

Speaker

I Mina'Trentai Tres Na Liheslaturan Guahan 155 Hesler Place

Hagatna, Guam 96910

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

RE: Committee Report on Bill No. 336-33 (LS), As Substituted by the Committee

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 336-33 (LS), *As Substituted by the Committee* - 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).

Committee votes are as follows:

6

TO DO PASS



TO NOT PASS



TO REPORT OUT ONLY



TO ABSTAIN



TO PLACE IN INACTIVE FILE

4

Respectfully,

SENATOR FRANK B. AGUON, JR.

Committee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary | I Mina Trentai Tres Na Liheslaturan Guåhan | 33<sup>rd</sup> Guam Legislature



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN | 33RD GUAM LEGISLATURE

Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

> Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker
Dr. Judith T. Won Pat. Ed.D
Ex-Officio

# COMMITTEE REPORT ON BILL NO. 336-33 (LS),

# As Substituted by the Committee

"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)."



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN | 33°D GUAM LEGISLATURE



Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

> Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker
Dr. Judith T. Won Pat. Ed.D
Ex-Officio

OCT 2 1 2016

**MEMORANDUM** 

To: ALL MEMBERS

Committee on Guam U.S. Military Relocation, Public Safety, and Judiciary

From: Senator Frank B. Aguon,

Committee Chairperson

Subject: Committee Report on Bill No. 336-33 (LS), As Substituted by the Committee

Transmitted herewith for your consideration is the Committee Report on Bill No. (336-33) (LS), <u>As Substituted by the Committee</u> – (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).)

This report includes the following:

- Committee Vote Sheet
- Committee Report Digest
- Copy of Bill No. <u>336-33</u> (LS)
- Copy of Bill No. <u>336-33</u> (LS), As Substituted by the Committee
- Public Hearing Sign-in Sheet
- Copies of Submitted Testimony & Supporting Documents
- Fiscal Notes/ Waivers
- Referral of Bill No. 336-33 (LS)
- Notices of Public Hearing
- · Copy of Public Hearing Agenda
- Related News Report

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Si Yu'os Ma'åse'!



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN I 33<sup>RD</sup> GUAM LEGISLATURE



Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

> Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker
Dr. Judith T. Won Pat. Ed.D
Ex-Officio

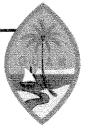
#### **COMMITTEE VOTING SHEET**

**Bill No. 336-33 (LS)**, As Substituted by the Committee – "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)." Sponsored by: Senators V.A. Ada, F.B. Aguon, Jr., and B.T. McCreadie.

COMMITTEE MEMBERS	SIGNATURE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
AGUON, FRANK B., JR Committee Chairperson	1.6					
ADA, THOMAS C. Committee Vice Chairperson	2e cal	~				
VICE-SPEAKER CRUZ, BENJAMIN J. F. Committee Member	再					
RESPICIO, RORY J. Committee Member	any levery	Nu 11-26-16				
RODRIGUEZ, DENNIS G. JR. Committee Member	9/			10/21		
UNDERWOOD, NERISSA B. Ph.D. Committee Member						
ADA, V. ANTHONY Committee Member	$Q_{\gamma}$					
BLAS, FRANK F., JR. Committee Member	+6					
ESPALDON, JAMES V. Committee Member	A /					
MCCREADIE, BRANT T. Committee Member						
SPEAKER WON PAT, JUDITH T. Ed. D. Committee Member	A					



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN | 33RD GUAM LEGISLATURE



#### Senator FRANK B. AGUON, JR. Chairman

Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

Senator
V. Anthony Ada
Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker Dr. Judith T. Won Pat. Ed.D Ex-Officio

#### **COMMITTEE REPORT DIGEST**

#### I. OVERVIEW

Bill No. 336-33 (LS) was introduced on June 15, 2016, by Senators V. Anthony Ada, Frank B. Aguon, Jr., and Brant McCreadie and was subsequently referred by the Committee on Rules to the Committee on Guam US Military Relocation, Public Safety and Judiciary on June 15, 2016.

The Committee on Guam US Military Relocation, Public Safety and Judiciary convened a public hearing on Bill No. <u>336-33</u> (LS) on a Monday, September 19, 2016 at 2:00PM in I *Liheslatura's* Public Hearing Room.

#### **Public Notice Requirements**

Public Hearing notices were disseminated via e-mail to all senators and all main media broadcasting outlets on Monday, September 12, 2016 (5-Day Notice), and again on Thursday, September 15, 2016 (48-Hour Notice).

#### **Senators Present**

Senator Frank B. Aguon, Jr., Chairman
Speaker Judith T. Won Pat Ed. D, Ex-Officio
Senator James Espaldon, Committee Member
Senator Brant T. McCreadie, Committee Member
Senator V. Anthony Ada, Committee Member
Senator Nerissa B. Underwood, Ph.D., Committee Member
Senator Tommy Morrison
Senator Mary Torres

The public hearing was Called-to-Order at 2:00 PM.

#### II. SUMMARY OF TESTIMONY & DISCUSSION

#### Chairman Aguon:

Good afternoon ladies and gentlemen, if I can ask initially for administrative purposes if anyone who has a cellphone, if you can place it in silent mode or turn them off during the course of the public hearing. Good afternoon again. This committee public hearing sponsored by the Committee on Guam U.S. Military Relocation, Public Safety and Judiciary is here by convened. There are three items on the agenda. Bill No. 336-33 (LS) relative to the training requirements for members of the Civilian Volunteer Police Reserves. Bill No. 354-33 (COR) relative to estates of small value.

#### Chairman Aguon:

Bill No. 369-33 (COR) relative to providing discretion in the expenditure prioritization of the police patrol vehicle and equipment revolving fund to the Chief of Police for the purposes of acquiring, repairing and maintaining vehicles and requisite associated equipment for the Guam Police Department. For the information of the public in conformance of the open government law, notification was initially disseminated on the 12th of September with the subsequent notification also sent out on the 15th of September to the stakeholders and I want to as Chair thank the military. Media partners, I apologize, for their assistance in disseminating information with regards to today's public hearing. We will proceed with recognizing the members. I would like to Speaker Won Pat. Thank you very much Madam Speaker for joining us this afternoon. To my immediate left is Senator James Espaldon, Senator Brant McCreadie, Senator Tony Ada, and then to Speaker Won Pat's immediate right is Senator Underwood. Thank you senators for joining us this afternoon and we also have Senator Tommy Morrison joining us this afternoon.

We will proceed with the first bill that was highlighted, Bill No. 336 relative to the training requirements for members of the civilian volunteer police reservist and the primary sponsor for this piece of legislation is Senator Tony Ada. Senator if I can ask you to go ahead and open the floor with a few comments and in the mean time I would like to invite the following individuals if in fact you are going to provide oral testimony, then proceed to the table in front of us. Ms. Monica Salas, Captain Castro, J.I. Cruz, A.B. Quitugua, Mr. Daurhety, and Fred Bordallo. So these individuals once again I would like to invite them to the table up front in entertaining Bill No. 336-33 if in fact you have oral testimony this afternoon. Monica Salas, Captain Castro, J.I. Cruz, A.B. Quitugua, Dahaurty, and Mr. Fred Bordallo. Senator Tony Ada.

#### Senator Tony Ada:

Thank you Mr. Chairman and to the public hearing, good afternoon. Bill 336-33 (LS) is an act to amend section 66103 of Chapter 60 of 10 GCA and section 50101b of Chapter 50 of 17 GCA and this is relative to the training requirements for our members of the Civilian Volunteer Police Reserve, the CVPR. Mr. Chairman just a very brief opening statement. This bill is just to make the basic training requirements of the CVPR the same as regular police recruits. In this changing world, the safety of all police officers and the public depend on thorough and competent training and we want to ensure that all the CVPRs go through the same training as the regular police officers. Thank you Mr. Chair.

#### Chairman Aguon:

Thank you very much Senator Ada. We do have a couple of individuals who have joined us at the table. Captain Castro and Lieutenant Quitugua so Cap, if we can proceed with you first. If you can identify yourself for the record and then proceed.

#### Captain Castro:

Good afternoon, I am Captain Castro of the Guam Police Department. I am here on behalf of Chief of Police Joseph I. Cruz. I am reading his testimony. Currently the chief is off-island on a conference for the International Pacific Islands Chief of Police and also on behalf of the acting chief Mark Charfauros who is currently out sick today.

#### Captain Castro:

So the testimony I am reading is submitted by Chief Joseph I. Cruz.

#### [ Written Testimony Attached]

#### Chairman Aguon:

Thank you very much Captain Castro and please extend our appreciation to Chief Cruz for providing his testimony. Just looking at the information that you provided and recognizing that in fact the certification process was carried out during the latter part of last year and into this year and you were able to get an additional 29 out of 34 reservists back into out into the field and now that adds it to. Increases the number of police reserves actively contributing to the department's activities to 75 so certainly very appreciative of that and I'm sure the public has recognized the additional presence of our police reservist so please extend our appreciation to them. Senator Tony, and questions or comments? Senators any questions or comments? I would like to recognize the arrival of Senator Mary Torres. Thank you very much senator for joining us this afternoon. Anyone else providing testimony? We do have Caldwell and Santos who have signed in and they have signified that in fact they are here to support the legislation but not necessarily provide oral testimony. Chief Bordallo, I know you did sign in and I invited everyone to the table, did you want to provide testimony? Just identify yourself for the record chief and then proceed.

#### Mr. Fred Bordallo:

Buenas and Hafa Adai. My name is Fred Bordallo junior. I am the retired Chief of Police for the Guam Police Department. First of all I want to say good afternoon to the members of the 33rd Guam Legislature and allowing an opportunity to testify on Bill 336-33. I am not testifying to support the legislation or even go against the legislation. I am actually here just to provide some testimony about background in regards to this police reserve program for consideration for the senators as they look over the legislation especially with some of the language here, which you know, concerns me. First of all with the background with the peace officer standards and training commission and the police reserve program. The police reserve program just didn't stop at the 13th cycle. The police reserve program started way back into the possibly the late 70s or early 80s. As as matter of fact, there have been individuals who have been police reserve officers. Senator Judith Guthertz was a reserve officer. Former Chief of Police Ed Cabina was a police reserve officer. Their cycles were, if it was in the early, late 70s or early 80s so we are talking about some police reserve officers that went to the. Not the 13th cycle, probably the 12th, the 11th, 10th, 9th, 8th and there might be some reserve officers who might be swat reserve officers who actually were in the 10th cycle or the 9th cycle in the police reserve. I think GPD can probably reconfirm that because there has been some reserve officers currently now in the department that are from earlier reserve programs. What I want to say about the Peace Officers and Standards Training Commission is just there has been a lot of misinformation on it's purpose and its function. You see the idea the Peace Officers and Standards Training Commission is supposed to be an independent commission without any connection to a college or a university and the value of a Peace Officer and Standards Training Commission is that if any of our police officers decided to want to get POST certified and they wanted to relocate to the mainland.

If there was a Peace Officers and Standards Training Commission like California they'd be able to you know communicate and see whether they have some reciprocity and that was the idea of Guam's Peace Officers and Standards Training Commission. As matter of fact, my brother, who was an attorney Ricky Bordallo served in Senator Mark Charfauros's office at the time they were drafting up these, the first legislation on the Peace Officers and Standards Training Commission. Now what has evolved from the commission, it starts to get into not just the training standards, not starting to take on the character of what the Department of Administration does in terms of employment qualification or employment things like the polygraph exam, or the psychological testing and stuff that wasn't really, provisions that weren't even related to, how's that related to training standards that you want the POST commission to certify. The POST commission too, the other changes of the POST commissions is back in April of 2015, there was a meeting there and I submitted two programs for certification. One was the advanced police officer training program, and one was the police reserve training program for certification. I believe last year, from the chairman, Bob Camacho, I think he was being interviewed in the media. He couldn't recollect that any documents submitted by me, but they are with the POST commission right now, and there was a vote certifying the advanced police officer training program. With that certification there was language in there in that training program that actually provided reciprocity that if you graduate from the Guam police reserve academy. The Guam airport police at the time, when they were recruiting police officers, they had a standard of a 120 hours, and they said that if you graduate from the Guam Police Reserve Academy, that would be reciprocity for anyone working for the Guam airport police. So now the program that I submitted to the POST commission contains about a one hundred and, three hundred and twenty hours for our threshold and beyond. Right now at that last oversight hearing, Senator Aguon, when Chief Cruz had mentioned that the reservist on the audit didn't meet an eight hundred and, I think eight hundred some fifty hours of training. I was informed by sources that he was referring to Guam Community College's academic credit hours because the POST Commission has never set any threshold of hours that the reserves are required to complete. It was the first time when I submitted those two training programs of three hundred and twenty that an actual threshold of hours would be considered. Other agencies, I don't know whether the other agencies up to this date have submitted any of their programs for certification, but I do know off hand. So far the history of the POST Commission of certifications, the program I submitted, the advanced training program is the first program that has ever been certified. There was a police recruit who applied for, there was an individual who applied for the police recruit position at DOA and he graduated from the federal law enforcement training center in Glencoe, Georgia. That's a Department of Homeland Security training, and it's not even connected to any university or college. DOA accepted that and the director of POST at the time provided a ruling that his training was equivalent to a basic law enforcement training. He was allowed to apply for GPD. He's a current police reserve right now who is in our department. There was an individual who graduated from the Arizona Peace Officer Standards and Training Commission. He is currently in the force right now. His off island certification has been given reciprocity. So a lot of the minds of the reserve officers who continue to communicate with me, Senator, is they constantly ask the question if these off island, you know, institutions had reciprocity, why hasn't our own Guam POST Commission acted quickly on the reserve program that I submitted, but only acted on the advance police officer training? Why aren't they getting the same kind of treatment in terms of reciprocity?

And I had three years I worked in GPD's training and staff development as an officer in charge. I worked for previous Chief of Police like Chief Ishizaki, and Chief Paul Suba and when I had relations, relationships, building relationships and coordinating our full time academy at GCC, there were issues sometimes where they would say, you know, your full time academy has to have English and Math, and our Chief of police of course, when we discussed this said, you know the English and Math requirements is only when you're at DOA and you're taking that written test and there's a Math and English there and if you can't pass that, you know, why do we have to insert English and Math in our full time police academy program. And so the Chief of police, I've learned this as I was working at training a staff and learned this as even as Chief of police, the biggest power we have as a director is the prerogative as it says here in the language, the prerogative to determine what kind of training our department wants. So I would suggest especially with the cases, the black swan events or the kind of things that are happening like in New York with the bombing that should Chief of Police want to, you know. The governor called the Chief of Police and says we have an emergency situation. I need you to call back any reserves. They may be inactive, and I need you to start a real quick mobilization two week training program for them right now to get them ready to hit the street. Will they say, will that Chief of Police say well I don't have the prerogative anymore to. I have to call for a POST commission meeting to see whether they'd be able to sanction me and this two-week training program that we're going to do. So what I'm just sort of saying is there's potential bureaucratic obstacles that may impede the chief's ability to move quickly and I'm really suggesting some flexibility in the legislation when it comes down to looking at adjusting the civilian volunteer police program and the Chief's control, command control over it in deciding what trainings are necessary and seeing that all of a sudden this legislation may have some unintended consequences in terms of moving that power away from the Chief and transferring over to the Peace Officers Standards and Training commission and I'm open for any questions the senators have, regarding this testimony.

#### Chairman Aguon:

Thank you very much Chief Bordallo. Senator Tony Ada. Questions or comments? Senators? Any questions, comments on any of the testimonies we received this afternoon on this piece of legislation? Senator Espaldon.

#### Senator Espaldon:

Chief, just to clarify. You expressed that there may be concern that if we, if we don't provide the Chief of Police the flexibility to implement perhaps specialized training programs, that of course it would hamper the abilities of the police department to respond to I guess, special situations, right. Under an emergency situation though, wouldn't the Chief of Police or at least the Governor have that ability to make that call?

#### Mr. Fred Bordallo:

I believe that, you know, with this legislation if there is a restriction in saying, and DOA or they start asking who's going to be working? What officers have they been certified? That's where I'm coming at, and I'll give you an example. You know the AG's office has the power, the attorney general has the power to deputize a attorney and appoint them as a special deputy attorney general even though they're not employed. A private an attorney, you know, if they're going to be helping out in a particular case that has government interest.

Well the Chief of Police has deputized, you know, I believe in title ten chapter seventy-seven that the Chief of Police, you know they talked about can he deputize individuals quickly right, but besides he's been deputizing, and this is a form of deputizing when you're getting a reserve force. They're not employees of the government of Guam. DOA says these are just volunteers. But all of a sudden what I'm coming at is that an emergency situation you're going to deputize. Like the US marshals. They deputize our task force agents when they're working for the US marshals, but they have to go through a certain pre screening and some, you know, training, you know, and they have to, their training records are vetted, whether they can adapt to the US marshal's rules and regulations and everything else. This is the same thing that the Chief Police has when he wants to vet volunteers and say, you know what, there's an emergency situation and Governor you know, I want to start and design to put these individuals in a two week fast track course., You know and colleges and universities have accelerated courses sometimes. They don't have to go to a full six month semester, sometimes they have, University of Oklahoma has a one week accelerated that you get three graduated credits. So this is the same kind of design that if the Chief of Police wanted to do a two week course for emergency purposes that the legislation doesn't bind him and say no Chief. We took away. You don't have that prerogative anymore. That power, that prerogative is the prerogative of the chairman, the executive director of the POST Commission who has to call a meeting and decide what kind of training are you saying that you need to offer for that two weeks for the number of individuals that you have in that volunteer force that you're going to deploy, emergencily. For emergency purposes.

#### Senator Espaldon:

Okay, so, well couple things. One is that when the AG deputizes an attorney, that attorney is an attorney. In other words, they passed the bar, they have all the qualifications. In this case you're talking about a civilian volunteer who may not have the training as the same standards as the police officers in uniform. So I think that was a little off. But none the less, I take it that on page two of the legislation, you're addressing really the strike out under section B, which basically strikes out the language that the Chief of Police shall devise a program where by the GPD and the civilian defense office will provide members of the civilian volunteer police reserve training in law enforcement operational techniques and procedures for natural and man made emergencies. Is that the concern you have? The strike out?

#### Mr. Fred Bordallo:

Yes, that's the concern that I have senator.

#### Senator Espaldon:

Okay, I appreciate it and I appreciate your testimony. Thank you Mr. Chair and thank you chief.

#### Chairman Aguon:

Thank you Senator Espaldon. Speaker Won Pat. I understand that there is a cellphone that went off. Please ladies and gentlemen, ensure that your cellphones are on silent mode. Speaker.

#### Speaker Won Pat:

Thank you very much. Can you just please clarify for me because in the legislation, it spoke to the, on the top of page 2 where it spoke to the legislature finds that an audit of the reserve program, which is inclusive of the  $13^{th}$  through the  $18^{th}$  cycle revealed deficiencies in the training. You mentioned of course that the  $13^{th}$  was probably the last of this particular training for the reserves. Then hence  $14^{th}$  through the  $18^{th}$  is something very different from what the reservist used to get prior to the  $13^{th}$ .

#### Mr. Fred Bordallo:

What I was mentioning though that there are other reserve programs before the 13th reserve cycle. The 13th reserve cycle I believe was in the previous administration, the previous chief of police. The cycles I had under me during as chief police was the 14th to the 18th police reserve cycle. Other police chiefs have had that reserve program under there and the prerogative of training you know, in that program of volunteers from the 13th all the way back to from the early or the late 70s to the 80s because they have had reserve programs and training programs and in my experience, I came in in 1986 and I didn't see. I've patrolled along with reserve officers. I've patrolled along with police reserve officers, but I as a police officer back in 1987, I didn't see the exposure of police reserves in mass of training along side of us at Guam Community College. You know, I didn't know whether it was that extensive back in the early 80's. One who would be able to ask that kind and give that early insight would be reserve officers who graduated from the 8th cycle or the 9th cycle or 10th cycle, but currently they're not you know I haven't, there is one I believe that is still in the reserve program. He is still in the reserve program for GPD and he graduated from the 9th I think, police reserve cycle, but the whole thing you know madam Speaker you know about this, these individuals and this audit. You know when the hearing was made, not one reserve officer I think you know came forward to testify on their perspective of that audit about why? Where did that 850 hours come from that they were supposed to meet because there was nothing on the Peace Officer and Standards Training Commission that mandated that reserve offices must have 850. Now the college has their own accreditation standards. Guam Community College in terms of the full time police officers that are attending there but no reserve officer from the time I was in or the time any previous chief was in had any mandate of 800 some hours and so you know I think when the media released that that said the audit revealed that police reservist didn't meet 850, it sends sort of like a message out that maybe there was a standard of 800 but there wasn't any standard in the Peace Officer Standards and Training Commission and I think we should be transparent with that with the public to say then if there isn't then what is the training hours that we should. You know like we ask the Chief of Police. What is the training hours you are comfortable with? With me, I said at the time I submitted my two programs, 320 hours and I actually said and beyond you know to give that flexibility should someone go past my 320 hours and go to 700 right. Some other chiefs might say lets make it a thousand hours or something like, but at least I gave that flexibility to the POST commission and I got successful on that April, 2015 meeting. I'm hoping that someone can do a formal request for that because then the POST commission can give the records of that vote that they did sanction the Advance Police Officer Training Program and the language in there so that they can take a look what the reserve training program training was about. That's what I am just saying is that anything, I mean there's a question of why does it stop at the 13th.

I don't know whether Senator Ada, you know I don't know, the sponsor of bill, is there any reason why it stopped at the 13<sup>th</sup> cycle and why doesn't it go to possible reserve members that are in the 9<sup>th</sup> cycle that might still be serving in our department.

#### Speaker Won Pat:

So is there a big difference then with the training prior to the  $13^{th}$  and then from the  $14^{th}$  to the  $18^{th}$  training because apparently at least in the legislative intent it says they were able to reveal some deficiencies in training and recruitment standards or a lack of documentation on training and recruitment standards that included but not limited to and then it lists you know four areas like lack of training courses, incomplete training courses, lack of POST certification or academic accreditation of the training, lack of documentation of recruitment standards. So now there is, makes another questions then is that so from the 14th to the 18th, these were the deficiencies of those programs, but we have those individuals and I wanted to ask Mr. Castro that question as well that those who were in the 14th through the 18th where there are deficiencies, what now is going to happen to all of those who were in those cycles and how would this piece of legislation affect that? I mean there is cause and effect here for everything now that we are doing and I'm thanking Mr. Bordallo for that history because I think that history really is very important. You know, you have the institutional knowledge to let some of us here who don't know because I'm surely not the oversight chair and maybe they have that information, but in my mind I really like to make sure that all of this is cleared because normally legislation is introduced when they reveal some deficiencies and how now are we going to try to fix that, but more importantly there is the big question of those individuals who were on the 14th through the 18th train and may currently be still in the program. I'm understanding you got 29 of them. Would those individuals then, I mean could they have lacked some of these things now that because this piece of legislation actually is very clear because it used there must be identical to regular police officer training and what now is going to happen?

#### Captain Castro:

So the objective was in the audit was to have these officers in the reserve program meet the minimum requirements of POST. Therefore, the audit was initiated and completed to meet those minimum standards and because of that they were not able to be available for a resource for the department. So that was the jist of the audit. I understand Chief Bordallo's sentiment towards that effort and that could be questioned to in as well in chapter 66 where the chief has the flexibility to determine what training that reserves should have, but since POST was implemented by law, there were minimum requirements we now have to have these officers acquire or receive in as far as training and education. So hence the audit now, now they are able to provide a police service to the community by meeting those mandates and that is completed. So again they are now more available to provide service to the community.

#### Speaker Won Pat:

Thank you.

#### Mr. Fred Bordallo:

Madam Speaker if I could just add on you know because, I'll give you a situation.

This individual, about the advance officer training program that got sanctioned by the POST commission. We had this one individual who has a bachelor's degree in criminal justice and we put him through over a 19week advance police officer training program and when they completed that, that course, she was sworn in as a police reserve officer when she got the certificate of completing the over 19 weeks of training. Fire arms and everything. When she applied for the fulltime police officer position, you know she was hired because she was out, she was assigned to executive security. She did her training at the different precincts and she was hired as a full time officer. Now they are going to take her badge away and her firearm away because the advance police officer training program wasn't recognized and she should go to the Guam Community College for a certificate in criminal justice because there are certain credit hours of firearms that are required and she didn't meet the firearms, but yet our own training officers took her out to the firing range and qualified her and said she is proficient with the firearms. So there are some gaps and disparities here and that's again you know college students that are leaving with their criminal justice degrees after four years and they go through our reserve training program, which is 32 weeks and they have firearms training and they show their marksmanship. They pass those course. Now they are going to be made up because you don't have the 3 credit hours of physical fitness that's or you don't have the 3 credit hours on officer survival you know the college credits there. They don't offer that at the University of Guam or the other colleges with your criminal justice degree, but a lot of the majority of the percentage of the training, or the reserve training that the reserves got were law enforcement police related. They were trainers who were from our own department that weren't paid of course by money, but their services were under our own resources because a lot of them are Doc Sanchez graduates and they have the ability to instruct and give instructions on these trainings.

#### Speaker Won Pat:

And you just went on to my next question because I was going to ask that question about any opportunities to be able when they are in the reserves to enter into the regular police force and I'm just wondering now of all of these requirements because there has been all of these changes then the POST commission also and whether there is this not so much a moratorium but the allowance and of course here I know they do have it where it says that in 2 years from the effective date is to complete the POST training requirements, but I'm still confused with the hours. You were throwing many hours in that I'm just not familiar with. 120 to 320, 800 some hours.

#### Mr. Fred Bordallo

Madam Speaker I was explaining you know, when the POST commission was just starting to come up back in when my brother was working for Senator Mark Charfauros and they are coming up with this Peace Officer Standards and Training Commission. The real main thing, the benefit of a peace officer training commission is that if any of our officers wanted to transfer to another jurisdiction where there is a POST commission. Hawaii doesn't have a Peace Officer Standards and Training Commission. So there is no one to communicate there for reciprocity. So the agencies have that option if you want your people to get POST certified. Our SWAT training academy. Our SWAT academy when we certified SWAT officers. That's never been POST certified. Now with this POST commission, if they want to start getting our SWAT academy POST certified, they would have to submit the SWAT curriculum to the POST commission and vote on it by majority vote, but they certainly can't tell the SWAT.

The officer in charge of SWAT who is designing the program to say you have no prerogative in deciding what SWAT training is required and the POST commission suddenly comes in and starts regulating that and putting some, it could put some barriers on that and the next thing you know when you have this sort of default kind of thinking. We wont start training until we consult with the POST commission. So everyone comes into sort of a stand still. That's the type of culture that I'm sort of a little bit concerned about and I always make that vocal when I was in the POST commission meetings. Lets not get to the you know the POST commission meetings were really pretty much to take a look at what we could do to just establish some minimum standards, but not to actually start getting into we are going to affect the recruitment and the employment of different law enforcement agencies like corrections or the courts and all the other public safety agencies.

#### **Speaker Won Pat:**

One more question then. Mr. Castro tell me then if I am right or wrong is that with this legislation and what the chief said in the last time he was here to appeal to the legislature to be able to recruit that there was a gap some how between what was being taught at the college and what the expectations are and then also some individuals who have been in the program and now have not met the other standards. Are we, is this something that we should kind of wait first to see the results of what conversations or arrangements that the chief basically you know and the police force have actually have agreed with GCC now so that you guys are in concert and not in conflict and we surely don't want to short change anyone of the individuals who are going through the training only to find later on that they couldn't be hired because it didn't meet the requirements or the standards.

#### Captain Castro:

Real quick Madam Speaker, we did provide a letter to POST identifying our academic curriculum, our operational training curriculum, and our on the job training curriculum for them to certify. If and when a student from the university does decided to join GPD or a law enforcement agency, their credentials or graduation certificate or degree could be done by POST a comparison of what they do have. What they do need based on the police curriculum on training. So that will be an opportunity for the gaps to be addressed right then and there if there are any and that would address what Chief Bordallo was indicating that this core set of training is identified and certified by POST. So now an applicant with education through POST can realize what that individual may have or lack in as far as the minimum curriculum for police officer and that affects academics, operations and on the job training. More than likely they wouldn't have in the job training if they are straight out of college, but academically they may have satisfied half of the courses or more than half so it would be POST to determine that eligibility by that applicant and then there the gaps could be addressed if there are any and more than likely there are in service training that they wouldn't get at the university that specific to GPD. You want to..

#### Lieutenant Quitugua:

Lieutenant Quitugua, former operations chief for administration division, training and staff development section.

#### Lieutenant Quitugua:

I wanted to just submit to the committee that the audit for the cycles were as built on the requirement by POST legislation, the POST administrative rules and it pretty much based it on the 14 courses that are now required for category 1 peace officers, which include the reserves now. So we didn't just look at curriculum. We looked at eligibility status as well you know psyche evaluations, background investigations, polygraph examinations and the whole gammit of what it takes to be precisely aligned with a police officer trainee coming through the door as an employee. Now we are required to make it the same, so everything is one standard and that built the audit and through that audit we discovered that many of the trainees or reservist who are already serving that existed in the 13th to 18th CVPR cycle lack some stuff and there is still training gaps and those training gaps can be seen in the three courses that nobody offers on the island so far that we know of, which is dealing with individuals with mental disabilities, physical disabilities and the other. So we are only trying to fill those gaps through training within the department and we've expressed our ability to do that with, in the forum in July, but we are also acknowledging that the matrix was built. Both eligibility and training on the POST administrative rules. So there are still those gaps there and if we fulfill all those gap including eligibility gaps, we can therefore see CVPRs transitioning into fulltime officers much easier than they are now because they don't take a test with the Department of Administration and are provided an opportunity to become part of a certification list of eligibles to be employed and we have legislation that has just been passed that require us to fill 40 vacancies or train 40 POTs every year with I believe a lack of funding for that, but if we get reserves who are eligible from the get go, training and eligibility. Then it makes it a lot easier and a lot more especially with transition. Getting a police man on to the force takes about 6 months. In perfect world, to recruit, to go through the interviews, to take a test and do all those things administratively to get them in and then about a year to when we can actually leave them alone in a car going out and responding to calls. They need close watch, supervision by their supervisors for a certain amount of time even while they are in. So we really need to start thinking about the CVPR resource and what they can provide for us if they make themselves available for fulltime employment.

#### Chairman Aguon:

Incidentally Lieutenant Quitugua, be very mindful with the use of your terminology. You said, you referred to the recruitment of 40 additional police officer trainees without funding. There is a provision in the new budget law that allows for the vacancy pool fund to be able to be carried over to assist the department in the recruitment, not only the immediate recruitment, but also into the anticipated May or April recruitment cycle. So there is some flexibility in that budget that has been provided. How the chief applies it is certainly administrative in nature. Okay. So I just wanted to make sure that the ball is not thrown back on the legislature when the flexibility has been provided. Madam Speaker have you completed our question. Senator Underwood.

#### Senator Underwood:

Thank you Mr. Chairman. I just want to try to understand the concern that you had articulated Mr. Bordallo. You had noted on page I think page 2 that your primary concern was in b. Whereby the Chief of Police, the bill actually strikes out shall devise a program whereby the Guam Police Department, Civil Defense Office will provide the members and so on right volunteer procedures for natural and manmade emergencies.

#### Senator Underwood:

I am trying to understand here. In terms of what I am trying to understand for example, under the educational program, we do have the Guam Certification Education Commission and there are certain standards that educators have to comply with so that commission actually sets the standards as to how a teacher can be certified to teach in the class room. Likewise, what I am understanding is that the POST commission is also trying to set the standards and so the Chief of Police is a member of that commission. Correct?

#### Mr. Fred Bordallo:

That's correct.

#### Senator Underwood:

Okay. So the concern that you had articulated was that you seem to want the Chief of Police in the event of an emergency right to have the flexibility to develop a training program on his own aside from what the commission already has set as a minimum for anyone who is going to ...

#### Mr. Fred Bordallo:

Yes, senator. The minimum standard on the POST commission newly passed right now is we have 14 courses that are stated on the new, the most recent POST commission law that was passed. Now those 14 courses that are indicated, they don't have any attached hours of standards. So when that audit came up that reserves didn't meet 850 hours, lets start first by yes. There is 14 courses there, but if you ask every fulltime officer here how many hours or how many police courses that you have in your cycle? With me and Captain Sonny, we had 21 credit hours at GCC. With others they had 48, with others they had 36. So there is a big difference in how many courses each of us had in our fulltime cycles. I mean I only had 21 credit hours. Someone had 36 in their cycle. Someone had 48. So that's the college credits now of hours at the Guam Community College. For the POST commission training standards for the department that's going to conduct their own training. Like FBI does their own training at Quantico Virginia. Los Angeles does their own police academy. They don't attach themselves and do their training at a community college. Should the chief want to do his fulltime police academy or reserve academy, the language right now here that says that chief has the prerogative to determine those hours, just like the chief has to contract on a memorandum of understanding with GCC on our fulltime police academy. We don't want 36 credits for our fulltime, we want to, we will make it 42 or we'll make it 59 you know. Those are the flexibilities built in for the director to have that prerogative otherwise he will say let me go to the University of Guam instead of GCC if they are not meeting me half way and maybe we will do our own police academy at the University of Guam where it used to be had, but our training police courses will be held at our own department you know. So there is ways they can, what I am trying to say is that we can ensure there is flexibility for the Chief of Police. That is what my concern is senator in terms of what this bill when it highlights that there is a conflict with the POST commission and what would happened is there is going to be a consequence that we strike out that the Chief of Police doesn't have that. What's the message sent if a Chief of Police doesn't have the prerogative there and it's and that power now, no flexibility that's built in there and its now the commission that does that.

#### Senator Underwood:

Okay, see because when you have as set of standards like for students to achieve, that's set, but then how you get there actually can be determined by the Superintendent of Education. The curriculum, the training for teachers, but I am just wondering because the commission, the POST commission may have a different function than the Guam Certification for Educators Commission.

#### Mr. Fred Bordallo:

They are staring to take on function of their own. You know POST commission I said were independent, but this one the director now gets paid by the Guam Community College. So there is a little of going to be some relationship issues there. So it certainly is taking a different direction. You know, that's my opinion.

#### Senator Underwood:

Alright. So basically, I am just trying to understand your concern because I think what you're saying here is the potential conflict for striking this out is that while the commission set the standards, what I am hearing you say is that the Chief of Police should be able to determine the means by which those standards are met but if the standards include the number of hours, the kind of training, the specificity as to what course should be taken then that's one thing because it is very different in the educational arena. They set this is what you should be able to do. This is what you should be able, you should know and then its up to the educators then to develop that curriculum and set the training for that so on the other hand you know when you are talking about letting the Chief of Police have that prerogative that could also undermine the standard setting function of the POST. You know because standards are meant to set the minimum, but when you give a member the flexibility then to determine what type of training and number of hours and that could also undermine the function of the POST commission.

#### Mr. Fred Bordallo:

And as I said senator. You know as we are talking here, one reserve officer who didn't even get his POST certification because POST commission hasn't certified the reserve training program that I sent to them is actually now working for a deputy sheriff's department right now in the states and what he did is just you just presented a certificate of the training he received at GPD's reserve program. Not POST certified, but they saw that hey, these were a number of hours. Just like when you go to a conference and you get a continuing education requirement. You know that same sort of concept. The military, their military police schools are not POST certified, but yet when they do go to the college, they present their military training and sometimes the college are flexible to say, this is what we can probably give you in terms of your college credit. Those are like working relationships and collaborative relationships that would benefit everyone in terms of with the training, the number of hours, the 32 weeks of training that these reservists had. You know, could they bring it to the college and say what would you be able to say. These were hours and hours of instructions time you know and could they benefit from that.

#### Senator Underwood:

Okay, thank you.

#### Chairman Aguon:

Thank you very much Senator Underwood. Senator Tony Ada.

#### Senator Tony Ada:

Thank you Mr. Chairman. Wow what a conversation you know. All it was is the initial training requirements shall be identical to those required to Guam police officer cadets. I think the issue is POST and this body legislated that commission so I think you know maybe that's something that the Chairman can see and look at bringing POST back down and see what the concerns are with them, but Mr. Bordallo I think this bill has nothing to do with deputizing the chief's ability to deputize. All it does is say that this is a certain standard. If the chief wanted to deputize anyone, I think he still has that ability to deputize anyone and I do appreciate the conversation though and the dialogue that has gone, but I think in the end is all we want to do is take the CVPR and give them that initial basic training requirements as regular police cadets. That's all it is. It's not reinventing the wheel. It's not taking and doing you know doing something else. That's all it's saying is that the CVPRs will be trained, will have the basic training requirements as the regular police cadets and I for one will feel so much safer you know if that goes through and that's what we are seeing. The public will feel safer knowing that every CVPR that's on the road is trained properly and adequately. Has the proper credentials. Has been physically, thoroughly vetted. Both police checks, polygraphs, what ever it may be and I think that gives more credence to what the police department is and who the police department is. We're individuals who are the best of the best, that continue to go out everyday and protect the public to protect our people and our island and when they turn and they say you know what, that gentlemen whether he is a regular police officer or a civilian reserve. They have the same training standards and I think that's the bottom line is to ensure that all our officers are trained the same so that there is no difference you know. We look at everyone and everyone is the same and trained the same. Thank you Mr. Chairman.

#### Chairman Aguon:

Thank you Senator Ada. Speaker Won Pat you have one final question for the panel members

#### **Speaker Won Pat:**

Yes, thank you. I thought of this unintended consequence primarily only because I have been, one of your reservist has been in contact with the legislature quite frequently about the stipends of the reservist and when you make now them an equivalent of course of your regular police officers, the unintended consequence would be, you need to also now address their stipends and do you know what that would be? Have you thought about it sometime down the line how they are going to be affected because I mean for all fairness if you are saying you are going to be equal in training, there must be quality as well in terms of their compensation.

#### Captain Castro:

We are talking about stipend or compensation? Okay now stipend, we derive that from cost of equipment. Of course those things increase and with that stipend should increase, but I wont speak on behalf of the chief but I think that's an issue that's being addressed by the chief and the staff so I can't give you a number or a timeline, but because of increasing expenses and equipment, that will eventually have to increase in as far of the stipends and that also affect budget as well.

#### Captain Castro:

So that is being addressed and the reserves are very vital to our effort for safety in the community and definitely we want to take care of them and that's a discussion that's on going and until we determine the best course of action for that, for this resource and we will address that.

#### Speaker Won Pat:

Thank you for that information. I mean they are trying to make an appointment with us this week.

#### Captain Castro

Yes, I am aware of that.

#### Speaker Won Pat:

Oh, you are aware of that. Okay. I don't want to say anything not knowing of course what the discussions will be because in this budget fiscal budget, of course the chairman himself is well aware and supported it is the \$200,000 was provided specifically for the reservist for stipend, equipment and training. Training because we heard that you want to bring them back, but by brining them back you are going to provide more training. So maybe that should be a part of the discussion.

#### Captain Castro

Yes of course.

#### Speaker Won Pat:

Thank you.

#### Chairman Aguon:

Thank you very much madam Speaker. Gentlemen, thank you very much for your testimony this afternoon. I still have a few additional individuals who have signed up. Mr. Ron Taitano. If you can join us up front if you are going to be providing oral testimony and we have Mr. Barcinas and Mr. Chan who are members of the CVPR who have signed up, but I don't see if they would like to provide oral testimony then they are welcome to join us. Thank you gentlemen. Mr. Taitano, you can join us upfront.

#### Lieutenant Ronald Taitano:

Good afternoon senators. I am Lieutenant Ronald Taitano currently assigned to the legal office at GPD. I would like to thank you for the opportunity for allowing me to come up and give my oral testimony regarding this bill. I will try to make it as short and simple and understanding in my point of view as possible listening to the testimony that was just given to you. Sitting here and listening to it and being a member of this Guam Police Department for nearly 28 years, being an adjunct instructor, patrolman, supervisor, and now a staff officer, it's given me a lot of frustration regarding our reserve program and the reasons why is we take citizens who don't get paid to do that job. The stipends are for uniforms; they are not a paycheck. Okay, so I would like to make that clear at least from my point. They give up time after their regular jobs or taking care of their family to come to our training at night to 11o'clock at night. That's a lot of sacrifice and what I ask and what I asked of our managers is we give them the best qualified instruction we can give them.

#### Lieutenant Ronald Taitano:

As an adjunct instructor at GCC we are required to learn so many things as to how we teach because that's what's important. If you are not qualified to teach, you have no business teaching and we are not giving these reserve officers the best quality instruction that we should be giving them, then what are we giving to the public? We are giving them half. They don't deserve that. They don't deserve to be given half a service or a lack of service because the officers that we send them are not fully trained to do the job they have been given to do, that they have taken an oath to do. Now if you look behind me, we have officers and reserve officers in uniform. Can you tell the difference? And that's not what the public should be able to do, to be able to tell the difference between a reserve officer and a regular officer when they show up at their house when they are hurt expecting a professional police officer to take care of them and investigate their case. POST is for Guam. It's the standards that we set and you said that our Chief of Police and the other directors are listed in the level one. All are supposed to sit down at the table and decide what is best for us and as a staff officer I need to know that everyman that I dispatch to service the public is qualified and know what they are doing and as a staff officer, I cant allow for my officers who are not qualified to train to go out and service somebody and not being fully qualified to do that mess up and then we get sued. That deliberate indifference to that training standard as some of you senators have mentioned is something that we have to adhere to regardless. We got to think about quality not quantity and I'll leave it at that senators. I thank you for pushing this bill. It's a good bill and I support it. Thank you.

#### Chairman Aguon:

Thank you Officer Taitano for your testimony this afternoon. That has concluded our discussion on Bill No. 336.

If there are no other questions on this particular piece of legislation and everything else that the committee has heard this afternoon. Bill No. 336, 354, and 369 have been publically heard and for information of the public, if anyone would like to submit written testimony to the committee, we will continue to receive written testimony for the subsequent ten days exclusive of Sunday and then we will conclude with the closing out of the committee report. So thank you very much everyone, have a good day.

The public hearing adjourned at 3:37 PM.

#### III. WRITTEN TESTIMONY

The following individuals submitted written testimonies to the Committee on Guam U.S Military Relocation, Public Safety, and Judiciary before or after the scheduled public hearing on Monday, September 19th, 2016 at 2:00PM in *I Liheslatura's* Public Hearing Room.

- 1. Joseph I. Cruz, Chief of Police, Guam Police Department
- 2. Thomas T. Higa, Chief Commercial Officer, Docomo Pacific

#### IV. FINDINGS & RECCOMMENDATIONS

The Committee on Guam U.S Military Relocation, Public Safety, and Judiciary hereby reports out Bill No. 336-33(LS), As Substituted by the Committee with the recommendation .

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

Bill No. 336-33 (LG)

Introduced by:

1

V. Anthony Ada

F. B. Aguon, J

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).

#### 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
- Reserve are empowered by Guam law to perform most of the duties of regular full-
- 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.

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

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

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

continuing program for replacement.

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

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

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

Investigators and those GFD employees whom the Fire Chief specifically designate.

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

Bill No. 336-33 (LS)

As Substituted by the Committee on Guam U.S. Military Relocation Public Safety and Judiciary

Introduced by:

1

V. Anthony Ada
FRANK B. AGUON, JR.
Brant T. McCreadie

AN ACT TO AMEND § 66103 OF CHAPTER 66 OF TITLE 10, GUAM CODE ANNOTATED, AND AMEND § 51101(b) OF CHAPTER 51 OF TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE TRAINING REQUIREMENTS FOR MEMBERS OF THE CIVILIAN VOLUNTEER POLICE RESERVES (CVPR).

#### BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Legislative Findings and Intent. I Liheslaturan Guåhan finds Section 1. 3 that two (2) sets of training standards apply in Guam law to the members of the 4 Civilian Volunteer Police Reserve. It is clear that the definition of peace officer in 5 the Peace Officer Standard Training Commission (POST) statutes recognizes 6 police reservists as peace officers for the purposes of standards and training 7 required by the POST Commission. A contradiction of law, however, occurs in § 8 66103 of 10 GCA where the standards and training requirements are the personal 9 prerogative of the Chief of Police. This provision was created and amended prior to the adjudication of POST Commission administrative rules and regulations and 10 was practical at the time the statute was created. 11

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

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

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

**Section 2.** § 66103 of Chapter 66 of Title 10, Guam Code Annotated, is *amended* to read as follows:

### "§ 66103. Training, Equipping and Maintenance of Records.

- (a) Training for the Civilian Volunteer Police Reserve members *shall* be conducted pursuant to the provision of the Peace Officer Standards and Training Commission (POST) in Chapter 51 of 17GCA. Initial training requirements *shall* be identical to those required of Guam Police Officer cadets.
- 25 (b) The Chief of Police *shall* devise a program whereby the Guam Police 26 Department and the Civil Defense Office will provide the members of the Civilian 27 Volunteer Police Reserve training in law enforcement and operational techniques

- 1 and procedures for natural and man made emergencies. The Civilian Volunteer
- 2 Police Reserve shall maintain a roster of volunteers who have received the training
- 3 prescribed herein by Chapter 51 of 17 GCA. In order to maintain membership in
- 4 the Reserve, each member must keep up with his scheduled training, and no
- 5 volunteer may remain in the Reserve if he or she is unable to keep up with or
- 6 otherwise absorb the training. Additionally, basic supplies and equipment shall be
- 7 provided to assure a constant and operability of the Civilian Volunteer Police
- 8 Reserve, including a continuing program for replacement.
- 9 (c) Members of the Civilian Volunteer Police Reserve who were recruited
- and sworn in from the eighteenth (18th) recruitment cycle or earlier shall have up
- 11 to two (2) years from the effective date of this Section to complete the POST
- 12 training requirements required, supra. Any member of the Civilian Volunteer
- Police Reserve who has not met the minimum qualifications/certifications for (1)
- 14 firearms safety and proficiency, (2) physical fitness, (3) recruitment clearances
- 15 (police, court, etc.) and background checks shall not be allowed to serve in the
- 16 Civilian Volunteer Police Reserve."
- Section 3. § 51101(b) of Chapter 51 of Title 17, Guam Code Annotated, is
- 18 *amended* to read as follows:
- "(b) Peace Officer, for the purpose of this Article, shall mean the Chief of
- 20 Police and all sworn officers of the Guam Police Department including reservists
- 21 (Civilian Volunteer Police Reserve); the Chief and all officers of the Guam Airport
- 22 Police; the Chief and all officers of the Guam Port Authority Police; the Director
- 23 of Corrections, all uniformed Correction Officers and Parole Officers as well as
- such rehabilitation personnel of the Department of Corrections as are designated by
- 25 the Director of Corrections; the Director of Customs and all sworn officers of the
- 26 Customs and Quarantine Agency; the Director and all employees of the
- 27 Department of Youth Affairs who are engaged in juvenile detention and

- 1 rehabilitation work as designated by the Director of the Department of Youth
- 2 Affairs; the Chief and all Conservation Officers of the Division of Aquatic and
- 3 Wildlife Resources of the Department of Agriculture; the Chief and all Guam Park
- 4 Patrol Officers of the Department of Parks and Recreation; the Attorney General
- 5 and those employed by the Attorney General's Office whom he specifically
- 6 designates; the Chief Marshal and all Marshals and the Chief of Probation and all
- 7 Probation Officers of the Unified Guam Judiciary; all Fire Fighter personnel
- 8 engaged in the enforcement of the fire prevention code, all arson investigators, and
- 9 those GFD employees whom the Fire Chief specifically designates."

I Mina' Trentai Tres Na Liheslaturan Guahan | 33rd Guam Legislature

# SENATOR FRANK B. AGUON, JR. CHAIRMAN

	Name (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In favor	Not In Favor
	Monica Salas	CUPR/GPD	488-8403				
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I Mina' Trentai Tres Na Liheslaturan Guahan | 33rd Guam Legislature

# SENATOR FRANK B. AGUON, JR. CHAIRMAN

	Name (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In favor	Not In Favor
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I Mina' Trentai Tres Na Liheslaturan Guahan | 33rd Guam Legislature

# SENATOR FRANK B. AGUON, JR. CHAIRMAN

Name (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In favor	Not In Favor
D. T. Capland	GPD		1 1/2	A		
D. T. Caldward	GPN			A	V	

I Mina' Trentai Tres Na Liheslaturan Guahan | 33rd Guam Legislature

# SENATOR FRANK B. AGUON, JR. CHAIRMAN

	Name (Please Print)	Agency/Organization	Contact Number	Oral Testimony	Written Testimony	In favor	Not In Favor
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1	Im Bardons	GPB cups	777-055-5				
	Smald Taitand John Bardras LEXANDER C.CHAR	GPD CVPR	777-05-5-				~



# GUAM POLICE DEPARTMENT

#### DIPÅTTAMENTON POLISIAN GUAHAN

Government of Guam



EDDIE BAZA CALVO Governor

RAY TENORIO Lieutenant Governor Bldg. 13-16A Mariner Avenue, Tiyan Barrigada, Guam 96913 P.O. Box 23909 Barrigada, Guam 96921

Telephone: (671) 475-8473 (Switchboard); (671) 475-8508 / 8509 / 8512

Fax: (671) 475-3222

JOSEPH I. CRUZ Chief of Police

WRITTEN TESTIMONY
OF
JOSEPH I. CRUZ
Chief of Police
Guam Police Department
IN SUPPORT OF
BILL NO. 336-33(LS)

"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)."

For: The Honorable Chairman, Senator Frank B. Aguon, Jr., and

Members, Committee on Guam U.S. Military Relocation, Public Safety and Judiciary

33rd Guam Legislature

Buenas yan Hafa Adai! I hereby respectfully provide this written testimony in support of Bill No. 336-33(LS).

Since June 19, 2015, immediately after the commencement of the 18th Civilian Volunteer Police Reserve (CVPR) Training Cycle, an overall analysis of the CVPR Program was undertaken to ensure compliance with the Enabling Act (Title 10 GCA Chapter 66), Peace Officer Standards and Training (POST) Commission (Title 17 GCA Chapter 51), and Administrative Rules; Peace Officer Training and Standards (PL 32-232). GPD has since provided an overview of challenges in meeting certification standards, ensuring the proper application of departmental goals and objectives and cost impacts critical to implementing and sustaining CVPR training cycles. A detailed view of the status of Civilian Volunteer Police Reservists, Standard Operating Procedures of the CVPR Program, status of internal audits of the CVPR Program, and the status of CVPR Cycles, has called to mind GPD's objective of: ensuring adequate administration of standardized training, and compliance with substantive laws intended to qualify and protect our sworn officers.

WRITTEN TESTIMONY OF JOSEPH I. CRUZ, Chief of Police, Guam Police Department In Support of Bill No. 336-33(LS) - Relative to the Training Requirements for Members of the Civilian Volunteer Police Reserves (CVPR)
September 16, 2016
Page 2 of 3

The intent of the Legislature to ensure that the standards of training requirements for members of the Civilian Volunteer Police Reserve are the same as those for officers of the Guam Police Department is appropriate. The Guam Police Department in mid-2015 set in motion internal processes that: 1) distinguish the legislative intent of CVPR enabling legislation, POST Commission enabling legislation, and the recent establishment of POST Administrative Rules; 2) build a certification and eligibility matrix considering the highest standard for the certification and recruitment of Reservists; and 3) fulfill certification gaps through the administration of core courses for those Reservists in need.

The Guam Police Department provided testimony to this Committee on November 12, 2015, attesting to the complex research conducted to comprehend the landscape of existing mandates that determine the certification and eligibility standards for Reservists. The latest mandate, POST Administrative Rules, provide detailed standards for recruitment and training that required substantial adjustment to the CVPR Program, as Reservists are Category 1 Peace Officers pursuant to these rules. GPD has ensured that core courses such as Criminal Law and Criminal Procedure were administered to Reservists in need, and immediately after completion on June 24, 2016, GPD returned twenty nine (29) of thirty four (34) Reservists to field duty. This brings the total of active Reservists performing field duty to seventy five (75).

POST Administrative Rules also require training not currently available in catalogs of accredited institutions on Guam such as Dealing with Physically Challenged Individuals, Dealing with People with Disabilities, and Dealing with People with Mental Health Challenges. This concern is currently resonating throughout the affected law enforcement agencies, and prompted the Guam Community College and the Judiciary of Guam to host a special forum on July 19, 2016. The forum, entitled "Judicial and Law Enforcement System and Persons with Disabilities", provided an opportunity for GPD to present our policy and program designed to fulfill this essential training need. GPD policy has been in existence since 1992 and later in 2012, incorporated a collaborative training program with Guam Behavioral Health and Wellness Center (GBHWC). Our commitment to ensure sworn officers in the field, including Reservists, are appropriately trained in this area, GPD worked with GBHWC to certify one (1) instructor in Mental Health First Aid, a national program established to teach the skills to respond to the signs of mental illness and substance use.

In closing, GPD recognizes the importance of funding support for all training programs throughout government and acknowledges the provision of \$200,000.00 for the GPD CVPR Program's training, equipment, and stipends, proposed in the FY2017 Budget Bill 250-33, Miscellaneous Appropriations Chapter XI, Section 12. GPD is currently working with the Office of the Attorney General, the Guam Community College, the University of

WRITTEN TESTIMONY OF JOSEPH I. CRUZ, Chief of Police, Guam Police Department In Support of Bill No. 336-33(LS) - Relative to the Training Requirements for Members of the Civilian Volunteer Police Reserves (CVPR)
September 16, 2016
Page 3 of 3

Guam, and the Department of Administration, to develop and fulfill all certification and eligibility requirements that the proposed funding will help to provide.

Therefore, on behalf of the men and women of the Guam Police Department, we strongly support the passage of this Bill and respectfully request that the recommendation mentioned herein be considered and included in Bill 336-33. *Dangkulo na si Yu'os ma'ase!* 

Respectfully submitted.

JOSEPH I. CRUZ

JIC:scr



Office of Senator Frank B. Aguon, Jr. <admin@frankaguonjr.com>

## Fwd: Meeting with Thomas Higa Re. Bill No. 336-33 - 22 September

aguon4guam <aguon4guam@gmail.com>

To: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

Tue, Sep 20, 2016 at 5:14 PM

Sent from my Samsung device

---- Original message ----

From: Nicole Delisle Duenas <delisleduenas@judiwonpat.com>

Date: 20/09/2016 15:55 (GMT+10:00)

To: Tony Ada <senatortonyada@guamlegislature.org>, Brant McCreadie <brantforguam@gmail.com>,

aguon4guam@gmail.com

Cc: jojo.garcia@gpd.guam.gov, cristobal.castro@gpd.guam.gov, Frank Torres <fbtorres@judiwonpat.com>

Subject: Meeting with Thomas Higa Re. Bill No. 336-33 - 22 September

#### Håfa Adai Senators:

Speaker Won Pat is scheduled to meet with Mr. Thomas Higa to discuss his concerns regarding Bill No. 336-33. This meeting will take place on Thursday, September 22, 2016 at 1:30 p.m. at the conference room in Speaker's office. She has asked that I extend notice of this meeting to each of you, should you be interested in attending and your respective schedules allow.

You may contact me via email or by phone at Speaker Won Pat's office at 472-3586 if you have any questions regarding this. Thanks for your time!

Warm Regards, Nicole DeLisle Dueñas (Speaker Won Pat's Office)

> From: "Thomas T. Higa" <thiga@docomopacific.com> Date: September 20, 2016 at 9:22;01 AM GMT+10

Cc: "Judith Won Pat (speaker@judiwonpat.com)" <speaker@judiwonpat.com>, "jojo.garcia@gpd.guam.gov" <jojo.garcia@gpd.guam.gov>, Sonny Castro <cristobal.castro@gpd.guam.gov>

~cristopat.castro@gpd.guam.gov~

Subject: Bill 336-33

Hafa Adai Senators,

I would like to address some concerns regarding Bill 336-33 that went for public hearing yesterday. I was informed that there were only a handful of Reserves at the hearing, Unfortunately, there was no official notification that went out to the reserves about the bill in question and I was unable to make it to the hearing due to sickness.

As you may know, I have a been a reserve officer for since 2009 and have been a strong advocate of the program and unofficial spokesperson. Police departments all over the US understand the importance of having an active

reserve program and I am glad to see that you all are addressing some of the training and qualification requirements for the program.

I just wanted to make a few comments on the bill if I may.

- 1. Regarding training. At times the department has the mindset that Reserves don't have jobs and at times schedule training during regular working hours. If we can add in a sentence that states that the department will tailor such training to best match the available times of the reserve officers.
- 2. We would like to see Section 2, 66103 © addressing the 18<sup>th</sup> and previous cycles be removed in its entirety. From our understanding the previous cycles training records have been audited and the Criminal Law and Criminal Procedures class was conducted for those who did not attend or had no certificate of training in their file. From my understanding, the only other requirement that has not been completed for most is the polygraph. To say these Officers have 2 years to complete the training is implying they are not currently qualified to perform the duties they are currently performing and have been performing. This could lead to some interesting legal issues. At the time some of these Officers were swom in, the POST commission was not active and the Chief had the authority and swom them in as officers with no stipulations.
- 3. Since CVPR's were specifically mentioned under GPD, you may also want to include Guam Airport. It is my understanding they also have a reserve program.

Lastly, I have had some discussions with Speaker Won Pat on other Reserve issues like stipend increase and funding for the program. In addition, a possible solution to deal with the upcoming vehicle crisis that GPD will be facing in the near future when the Prius' are returned to AK later this year. We will be meeting this Thursday at her office to brainstorm on some ideas. Please contact her office if you would like to participate in these discussions.

Thank you for your time and addressing the concerns of GPD and the Reserve program. Please feel free to contact me at the below numbers should you have any questions.

Regards,

#### Thomas T. Higa

#### Chief Commercial Officer

Docomo Long

219 S. Marine Drive, Suite 206

Tamuning, Guam 96913

Tel: 671-969-4077

Cel: 671-688-2337

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155 Hes E-mail: ) Senato

I Mina trenta i Tres na Liheslaturan Guáltan • The 33rd Guam Legislature 155 Hesler Place, Hagana, Guam 96910 • www.guamlegislature.com E-mail: rocyforguam@gmail.com • Td: (671)472-7679 • Fax: (671)472-3547

- 4

Senator Rory J. Respicio CHAIRPERSON MAJORITY LEADER

August 1, 2016

Senator

Thomas C. Ada VICE CHAIRPERSON ASSISTANT MAJORITY LEADER

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

Member

Vice-Speaker Benjamin J.F. Cruz

Member

Legislative Secretary Tina Rose Muna Barnes Member

Senator

Dennis G. Rodriguez, Jr. Member

> Senator Frank Blas Aguon, Jr.

Cotas Aguon, Jr. Member

Senator Michael F.Q. San Nicolas

Michael F.Q. San Nicolas Member

Senator Nerissa Bretania Underwood Member

> V. Anthony Ada MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

## Memorandum

To:

Rennae Meno

Clerk of the Legislature

From:

Senator Thomas C. Ada

Acting Chairperson of the Committee on Rules

Subject:

Fiscal Note

Hafa Adai!

Attached please find the fiscal note for the bill number listed below. Please note that the fiscal note is issued on the bill as introduced.

## **FISCAL NOTE:**

Bill No. 336-33(LS)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'āse'!

## Bureau of Budget & Management Research Fiscal Note of Bill No. 336-33 (LS)

AN ACT TO AMEND §66183 OF CHAPTER 60 OF 10 GCA AND §50161(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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## Bureau of Budget & Management Research Attachment to Fiscal Note No. 336-33 (LS)

#### Comments

Bill 336-33 will require the Civilian Volunteer Police Reserves (CVPR) to be trained with the same Peace Officer Standard Training Commission (POST) standards utilized to train Police Officers. Title 10 GCA currently allows for the Chief of Police to devise a separate CVPR Training program. The Guam Police Department (GPD) notes an average of 13 individuals participate each fiscal year in a CVPR training cycle. The cost per participant is approximately \$10,575 to include training, uniforms and essential equipment. Total cost per fiscal year is \$137,475.

# COMMITTEE ON RULES



I Mina'trentai Tres na Liheslaturan Guåhan • The 33rd Guam Legislature 155 Hesler Place, Hagatña, Guam 96910 • www.guamlegislature.com E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator Rory J. Respicio CHAIRPERSON MAJORITY LEADER

June 15, 2016

Senator Thomas C. Ada VICE CHAIRPERSON ASSISTANT MAJORITY LEADER

Speaker Judith T.P. Won Pat, Ed.D. Member

> Vice-Speaker Benjamin J.F. Cruz Member

Legislative Secretary Tina Rose Muna Barnes Member

Senator Dennis G. Rodriguez, Jr. Member

> Senator Frank Blas Aguon, Jr. Member

Senator Michael F.Q. San Nicolas Member

Senator Nerissa Bretania Underwood Member

> V. Anthony Ada MINORITY LEADER

Mary C. Torres
MINORITY MEMBER

## **MEMORANDUM**

To: Rennae Meno

Clerk of the Legislature

Attorney Therese M. Terlaje

Legislative Legal Counsel

From: Senator Rory J. Respicio.

Chairperson of the Committee on Rules

Subject: Referral of Bill No. 336-33(LS)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 336-33(LS)**.

Please ensure that the subject bill is 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 Tres Na Liheslaturan Guåhan*.

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

Si Yu'os Ma'åse!

Attachment

33GL CLEPKS OFFICE BIS HISTORY 8/1/2016 4:44 PM

## I Mina'Trentai Tres Na Liheslaturan Received Bill Log Sheet

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
336-33 (LS)	F. B. Aguon, Jr. Brant Y. 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).	4:12 p.m.	06/15/16	Committee on the Guam U.S. Military Relocation, Public Safety and Judiciary			Fiscal Note Request 06/22/16 Fiscal Note 08/01/16



Office of Senator Frank B. Aguon, Jr. <admin@frankaguonjr.com>

# 1st Notice – Public Hearing on Monday, September 19, 2016 at 2:00 PM

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com>

Mon, Sep 12, 2016 at 7:47 AM

To: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

Cc: "Frank Aguon, Jr." <aguon4guam@gmail.com>, Committee <committee@frankaguonjr.com>, Communications Specialist <communications@frankaguonjr.com>, Rosanna O'Mallan <staff@frankaguonjr.com>, Senator Aguon's Assistant <officeassistant@frankaguonir.com>, Tricia Benavente <media@frankaguonir.com>

Bcc: arthur.paulino@gpd.guam.gov, chuck.ada@guamairport.net, cme.guam@gmail.com, communications@guam.gov, dcaguero@portguam.com, ebanderson@guamag.crg, elaine.gogue@guam.gov, euntalan@fhb.com, faguon@portguam.com, gerry@postguam.com, gerrypartido.mvguam18@gmail.com, governor@guam.gov, guamwardeny2k@yahoo.com, louella@postguam.com, madeleine.bordallo@mail.house.gov, michael.cura@dpr.guam.gov, phnotice@guamlegislature.org, Carla Borja <carla.borja@doc.guam.gov>, Carlina Charfauros <ccharfauros@guamag.org>, Cathy Gogue <cgoque@guampdsc.net>, "Chief J. I. Cruz" <ioseph,i.cruz@gpd.guam.gov>, Chief Michael Uncangco <michael.uncangco@gfd.guam.gov>, "chris.duenas" <chris.duenas@guam.gov>, Christopher Budasi <cbudasi@guamcourts.org>, Cynthia Ige <cynthia.ige@gpd.guam.gov>, Gerry Partido <gerrypartido@gmail.com>, "Honorable Robert J. Torres" <guamjustice@hotmail.com>, "hottips@kuam.com" <hottips@kuam.com>, Janela Buhain Carrera <ianela@spbquam.com>, Joev San Nicolas <ioev.sannicolas@gfd.guam.gov>, John O'Connor <john@postguam.com>, Jon Calvo <jon.calvo@mail.house.gov>, "Joseph I. Cruz" <joseph.i.cruz66@gmail.com>, ioseph.duenas" <joseph.duenas@guam.gov>, Joshua Tenorio <jtenorio@guamcourts.org>, Joy Unpingco" <joy.unpingco@guam.gov>, Ken Quintanilla <keng@kuam.com>, kim santos <kim.santos@gpd.guam.gov>, "Lt. Andrew Quitugua" <andrew.quitugua@gpd.guam.gov>, "Lt. Paul Sayama" cpaul.sayama@gpd.guam.gov>, "manuel.babauta" <manuel.babauta@gpd.guam.gov>, Mark Calvo <mark.calvo@guam.gov>, Matt Sablan <matt.sablan12@yahoo.com>. "monica.salas" <monica.salas@gpd.guam.gov>, "news@guampdn.com" <news@guampdn.com>, Philip Taijeron <philip.taijeron@cqa,quam,gov>, Rav Tenorio <ray,tenorio@quam,gov>, Robert Camacho <br/> <br/> cbobcamacho@guamairport.net>, Robert Tupaz <robert@postguam.com>, "ronald.taitano" <ronald.taitano@gpd.guam.gov>, Rose Ramsey <rose.ramsey@guam.gov>, Shawn Raymundo <sraymundo@guam.gannett.com>, "Stephen P. Hattori" <sphattori@guampdsc.net>, "susan. reyes" <susan.reyes@gpd.guam.gov>, Valerie Cruz <vcruz@guamcourts.org>, genos@teleguam.net, Robert Perron <rperron@ite.net>, onestop\_mike@yahoo.com, bestcarandtruckservice@yahoo.com, Wanjoo Kim <wanjooalexkim@gmail.com>, janela@k57.com, news@k57.com, news@kuam.com, parroyo@k57.com, Gaynor Daleno <gdumat-ol@guam.gannett.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <ipsablan@guampdn.com>, Krystal Paco <krystal@kuam.com>, Mar-vic Cagurangan <marvic.cagurangan@yahoo.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Shawn Raymundo <sraymundo@guampdn.com>, Steve Limtiaco <slimtiaco@guampdn.com>, neil@postguam.com, jackie@postguam.com

September 12, 2016

#### MEMORANDUM

To:

All Senators, Media, and Stakeholders

Fr:

SENATOR FRANK B. AGUON, JR.

Subject:

1SI Notice - Public Hearing on Monday, September 19, 2016 at 2:00 PM

In accordance with the Open Government Law of Guam, relative to notice for public meetings, please be advised that the Committee on Guam U.S. Military Relocation, Public Safety & Judiciary, will convene a Public Hearing on Monday. September 19, 2016 at 2:00 PM, in the I Libestatura Public Hearing Room. Included on the agenda are the following bill(s):

- Bill No. 336-33 (LS): "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)." (Sponsor: Senators V.A. Ada, F.B.
  Aguon, Jr., B.T. McCreadie.)
- Bill No. 350-33 (COR): "An act to amend (c) of § 90.90, article 4, chapter 90, title 9 of the Guam Code Annotated relative to inmate compensation for prison industries." (Sponsor: Senator R.J. Respicio.)
- Bill No. 354-33 (COR): "An act to amend §§ 3101, 3103, 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123, and 3125 of chapter 31, title 15, Guam Code Annotated, relative to estates of small value." (Sponsor: Senators J.V. Espaldon, M.C. Torres.)
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The Hearing will broadcast on local television, GTA Channel 21 and Docomo Channel 117 or streamed online at: www.guamlegislature.com.

(Note: Links to Bills have been provided above.)

The Committee requests that, if written testimonies are to be presented at the Public Hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr. at Suite 503 DNA Bldg. 238 Archbishop Flores St. Hagatña, Guam, via fax to 475-GUM3(4863), or via email to:aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guahān's website at: www.guamlegislature.com. Individuals requiring special accommodations, auxiliary aids, or services should contact Niel Tirador at 475-4861/2 or email at committee@frankaguonjr.com. Please feel free to contact my office should you have any additional questions or concerns.

#### Thanks!

## Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Relocation, Public Safety, and Judiciary SUITE 503, DNA BLDG. 238 ARCHBISHOP FLORES STREET HAGÁTÑA, GUAM 96910 Tel: (671) 475-GUM1/2 (4861/2)

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# 1ST PH NOTICE ON MONDAY SEPTEMBER 19 2016 AT 2 PM.pdf 493K

#### COMMITTEE ON



# Guam U.S Military Relocation | Public Safety | Judiciary



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN | 33<sup>RD</sup> GUAM LEGISLATURE

September 12, 2016

Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

> Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker Dr. Judith T. Won Pat. Ed.D Ex-Officio

### **MEMORANDUM**

To: All Senators, Media, and Stakeholders

Fr: SENATOR FRANK B. AGUON, JR.

Subject: 1st Notice - Public Hearing on Monday, September 19, 2016 at 2:00 PM

In accordance with the *Open Government Law of Guam*, relative to notice for public meetings, please be advised that the *Committee on Guam U.S. Military Relocation*, *Public Safety & Judiciary*, will convene a **Public Hearing on Monday**, **September 19**, **2016 at 2:00 PM**, in the *I Liheslatura* Public Hearing Room. Included on the agenda are the following bill(s):

- <u>Bill No. 336-33 (LS):</u> "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)." (Sponsor: Senators V.A. Ada, F.B. Aguon, Jr., B.T. McCreadie.)
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Respectively,

SENATOR FRANKB AGUON, JR.

Committee Cairman on Guam U.S. Military Relocation | Public Safety | Judiciary I Mina Trentai Tres | a Liheslaturan Guåhan | 33rd Guam Legislature



Office of Senator Frank B. Aguon, Jr. <admin@frankaguonjr.com>

## 2nd Notice – Public Hearing on Monday, September 19, 2016 at 2:00 PM

Office of Senator Frank Aguon, Jr. Admin <admin@frankaguonjr.com>
To: "Office of Senator Frank B. Aguon, Jr." <admin@frankaguonjr.com>

Thu, Sep 15, 2016 at 3:17 PM

Cc: "Frank Aguon, Jr." <aguon4guam@gmail.com>, Committee <committee@frankaguonjr.com>, Communications Specialist <communications@frankaguonjr.com>, Rosanna O'Mallan <staff@frankaguonjr.com>, Senator Aguon's Assistant <officeassistant@frankaguonjr.com>, Tricia Benavente <media@frankaguonjr.com>

Bcc: arthur.paulino@gpd.guam.gov, chuck.ada@guamairport.net, cme.guam@gmail.com, communications@guam.gov, dcaguero@portguam.com, ebanderson@guamag.org, elaine.gogue@guam.gov, euntalan@fhb.com, faguon@portguam.com, gerry@postguam.com, gerrypartido.mvguam18@gmail.com, governor@guam.gov, guamwardeny2k@yahoo.com, louella@postguam.com, madeleine.bordallo@mail.house.gov, michael.cura@dpr.guam.gov, phnotice@guamlegislature.org, Carlina Charfauros <ccharfauros@guamag.org>, Cathy Gogue <cgogue@guampdsc.net>, "Chief J. I. Cruz"

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<chris.duenas@guam.gov>, Christopher Budasi <cbudasi@guamcourts.org>, Cynthia lge <cynthia.ige@gpd.guam.gov>,
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<hottips@kuam.com>, Janela Buhain Carrera <janela@spbguam.com>, Joey San Nicolas

<joey.sannicolas@gfd.guam.gov>, John O'Connor <john@postguam.com>, Jon Calvo <jon.calvo@mail.house.gov>, "Joseph I. Cruz" <joseph.i.cruz66@gmail.com>, "joseph.duenas" <joseph.duenas@guam.gov>, Joshua Tenorio <jtenorio@guamcourts.org>, Joy Unpingco <joy.unpingco@guam.gov>, Ken Quintanilla <kenq@kuam.com>, kim santos <kim.santos@gpd.guam.gov>, "Lt. Andrew Quitugua" <andrew.quitugua@gpd.guam.gov>, "Lt. Paul Sayama" <paul.sayama@gpd.guam.gov>, "manuel.babauta" <manuel.babauta@gpd.guam.gov>, Mark Calvo <mark.calvo@guam.gov>, Matt Sablan <matt.sablan12@yahoo.com>, "monica.salas" <monica.salas@gpd.guam.gov>,

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<ronald.taitano@gpd.guam.gov>, Rose Ramsey <rose.ramsey@guam.gov>, Shawn Raymundo <sraymundo@guam.gannett.com>, "Stephen P. Hattori" <sphattori@guampdsc.net>, "susan. reyes" <susan.reyes@gpd.guam.gov>, Valerie Cruz <vcruz@guamcourts.org>, jackie@postguam.com, janela@k57.com,

neil@postguam.com, news@k57.com, news@kuam.com, parroyo@k57.com, Gaynor Daleno <gdumatol@guam.gannett.com>, Jason Salas <jason@kuam.com>, Jerick Sablan <jpsablan@guampdn.com>, Krystal Paco <krystal@kuam.com>, Mar-vic Cagurangan <marvic.cagurangan@yahoo.com>, Sabrina Salas Matanane

"Alex C. Chan" <chan007888@yahoo.com>, riko.crisostomo@hotmail.com, jrosscruz@yahoo.com

September 15, 2016

## MEMORANDUM

To: All Senators, Media, and Stakeholders

Fr: SENATOR FRANK B. AGUON, JR.

Subject: 2nd Notice - Public Hearing on Monday, September 19, 2016 at 2:00 PM

In accordance with the Open Government Law of Guam, relative to notice for public meetings, please be advised that the Committee on Guam U.S. Military Relocation, Public Safety & Judiciary, will convene a Public Hearing on Monday.

September 19, 2016 at 2:00 PM, in the I Liheslatura Public Hearing Room. Included on the agenda are the following bill(s):

- Bill No. 336-33 (LS): "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)." (Sponsor: Senators V.A. Ada, F.B. Aguon, Jr., B.T. McCreadie.)
- Bill No. 350-33(COR): "An act to amend (e) of § 90.90, article 4, chapter 90, title 9 of the Guam Code Annotated relative to immate compensation for prison industries." (Eponsor: Senator R.J. Respicio.) Rescheduled for a later date per Sponsor request
- Bill No. 354-33 (COR): "An act to amend §§ 3101, 3103, 3109, 3111, 3113, 3115, 3117, 3119, 3121, 3123, and 3125 of chapter 31, title 15, Guam Code Annotated, relative to estates of small value." (Sponsor: Senators J.V. Espaldon, M.C. Torres.)
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The Hearing will broadcast on local television, GTA Channel 21 and Docomo Channel 117 or streamed online at: www.guamlegislature.com.

The Committee requests that, if written testimonies are to be presented at the Public Hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Frank B. Aguon, Jr. at Suite 503 DNA Bldg. 238 Archbishop Flores St. Hagatña, Guam, via fax to 475-GUM3(4863), or via email to:aguon4guam@gmail.com. Copies of the aforementioned Bill(s) may be obtained at I Liheslaturan Guahån's website at: www.guamlegislature.com. Individuals requiring special accommodations, auxiliary aids, or services should contact Niel Tirador at 475-4861/2 or email at committee@frankaguonjr.com. Please feel free to contact my office should you have any additional questions or concerns.

#### Thanks!

Office of Senator Frank B. Aguon, Jr.

Committee on Guam US Military Relocation, Public Safety, and Judiciary SUITE 503, DNA BLDG. 238 ARCHBISHOP FLORES STREET HAGATÑA, GUAM 96910 Tel: (671) 475-GUM1/2 (4861/2)

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2nd PH NOTICE ON MONDAY SEPTEMBER 19 2016 AT 2 PM-AMENDED.pdf 414K

#### COMMITTEE ON



# Guam U.S Military Relocation | Public Safety | Judiciary



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN I 33<sup>KD</sup> GUAM LEGISLATURE

Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

> Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker Dr. Judith T. Won Pat. Ed.D Ex-Officio September 15, 2016

### **MEMORANDUM**

To:

All Senators, Media, and Stakeholders

Fr:

SENATOR FRANK B. AGUON, JR.

Subject:

2nd Notice - Public Hearing on Monday, September 19, 2016 at 2:00 PM

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Respectfully

SENATOR FRANK B. AGUON, JR.

Com, attee Chairman of Guam U.S. Military Relocation | Public Safety | Judiciary I Mina Wentai Tree Na Liheslaturan Guåhan | 33rd Guam Legislature

Acres .



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN I 33<sup>RD</sup> GUAM LEGISLATURE



Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

Vice-Speaker Benjamin J.F. Cruz Member

Senator Rory J. Respicio Member

Senator Dennis G. Rodriguez, Jr. Member

Senator Dr. Nerissa B. Underwood, Ph.D. Member

> Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker Dr. Judith T. Won Pat. Ed.D Ex-Officio September 12, 2016

The Honorable Edward J. Calvo Governor of Guam

513 West Marine Corps Drive Ricardo J. Bordallo Complex Hagåtña, Guam 96910 Sent via email to: governor@guam.gov

Subject: INVITATION - Public Hearing on Monday, September 19, 2016 at 2:00 PM

In accordance with the *Open Government Law of Guam*, relative to notice for public meetings, please be advised that the *Committee on Guam U.S. Military Relocation*, *Public Safety & Judiciary*, will convene a **Public Hearing on Monday**, **September 19**, **2016** at **2:00 PM**, in the *I Liheslatura* Public Hearing Room. Included on the agenda are the following bill(s):

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SENATOR FRANK B. AGUON, JR.

Con mitte Chairma on Guam U.S. Military Relocation | Public Safety | Judiciary I Mina Trentai Tres Na Liheslaturan Guåhan | 33rd Guam Legislature

# Public Hearing Notice Listserv phnotice@guamlegislature.org (Media, All Senators, and Staff)

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# Public Hearing Notice Listserv phnotice@guamlegislature.org (Media, All Senators, and Staff)

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I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN I 33<sup>RD</sup> GUAM LEGISLATURE

Senator FRANK B. AGUON, JR. Chairman

> Senator Thomas C. Ada Vice Chairman

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Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker
Dr. Judith T. Won Pat. Ed.D
Ex-Officio

September 12, 2016

The Honorable Ray Tenorio Lieutenant Governor of Guam 513 West Marine Corps Drive

Ricardo J. Bordallo Complex

Hagåtña, Guam 96910

Sent via email to: ray.tenorio@guam.gov

Subject: INVITATION - Public Hearing on Monday, September 19, 2016 at 2:00 PM

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Respectfull

SENATOR FRANK B. AGUON, JR.

Consmittee Chairman on Guam U.S. Military Relocation | Public Safety | Judiciary | Mina | Mina | Tres Na Liheslaturan Guåhan | 33rd Guam Legislature



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN | 33RD GUAM LEGISLATURE



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Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker
Dr. Judith T. Won Pat. Ed.D
Ex-Officio

September 12, 2016

The Honorable Robert J. Torres, Jr. Chief Justice of Guam

Suite 300, Guam Judicial Center 120 West O'Brien Drive

Hagåtña, Guam 96910

Sent via email to: ritorres@guamsupremecourt.com

Subject: INVITATION - Public Hearing on Monday, September 19, 2016 at 2:00 PM

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Constitute Chairman of Guam U.S. Military Relocation | Public Safety | Judiciary | 1 Mina Frentai Tres Ka Liheslaturan Guåhan | 33rd Guam Legislature



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN I 33RD GUAM LEGISLATURE



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Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker
Dr. Judith T. Won Pat. Ed.D
Ex-Officio

September 12, 2016

Mr. Joshua Tenorio Administrator of Courts

Judiciary of Guam

Suite 300, Guam Judicial Center 120 West O'Brien Drive

Hagåtña, Guam 96910

Sent via email to: <a href="mailto:itenorio@guamcourts.org">itenorio@guamcourts.org</a>

Subject: INVITATION – Public Hearing on Monday, September 19, 2016 at 2:00 PM

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SEN TORFRANKE, AGUON, JR.

Committee Chaliman on Guam U.S. Military Relocation | Public Safety | Judiciary I Mina Trentai Tres No Liheslaturan Guåhan | 33rd Guam Legislature



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN | 33<sup>RD</sup> GUAM LEGISLATURE



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V. Anthony Ada
Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker Dr. Judith T. Won Pat. Ed.D Ex-Officio September 12, 2016

Chief Joseph I. Cruz
Chief of Police
Guam Police Department

Bldg 13-16A Mariner Ave.

Tiyan, Barrigada, Guam 96913

Sent via email to: joseph.i.cruz@gpd.guam.gov

Subject: INVITATION - Public Hearing on Monday, September 19, 2016 at 2:00 PM

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SENATOR FRANK B. AGUON, IR.

Committee Chairman in Guam U.S. Military Relocation | Public Safety | Judiciary | I Mina Frentai Tr. Na Liheslaturan Guåhan | 33rd Guam Legislature



I MINA' TRENTAI TRES NA LIHESLATURAN GUAHAN | 33°D GUAM LEGISLATURE



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Senator V. Anthony Ada Member

Senator Frank F. Blas Jr. Member

Senator James V. Espaldon Member

Senator Brant T. McCreadie Member

Speaker Dr. Judith T. Won Pat. Ed.D Ex-Officio September 12, 2016

Mr. Alberto A. Lamorena

Director,

Department of Corrections

P.O. Box 3236

Hagatna, GU 96932

Sent via email to: alberto.lamorena@doc.guam.gov

Subject: <u>INVITATION</u> - Public Hearing on Monday, September 19, 2016 at 2:00 PM

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# **PUBLIC HEARING AGENDA**

# Monday, September 19, 2016 at 2:00 PM

I Liheslaturan Guahan's Public Hearing Room, Hagåtña

## **AGENDA**

- I. Call to Order at 2:00PM
- II. Opening remarks/Announcements
  - <u>Bill No. 336-33 (LS):</u> "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)." (*Sponsor: Senators V.A. Ada, F.B. Aguon, Jr., B.T. McCreadie.*)
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- III. Closing Remarks
- IV. Adjournment