



Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

24 APR 2009

2009 APR 24 PM 2:33

WVC

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 62(COR) "AN ACT TO AMEND §§77109 AND 77110, CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE APPOINTMENT OF CHIEF OF POLICE AND THE DEPUTY CHIEF OF POLICE" which was signed into law on April 17, 2009 as **Public Law 30-15**.

Sinseru yan Magåhet,

MICHAEL W. CRUZ, M.D.
I Maga'låhen Guåhan para pa'go
Acting Governor of Guam

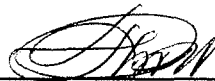
Attachment: copy of Bill

30-09-0498
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 4/24/09
Time 9
Received by 9

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

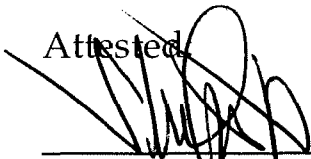
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 62 (COR), "AN ACT TO AMEND §§77109 AND 77110, CHAPTER 77 OF TITLE 10, GCA, RELATIVE TO THE APPOINTMENT OF THE CHIEF OF POLICE AND THE DEPUTY CHIEF OF POLICE,"** was on the 3rd day of April, 2009, duly and regularly passed.



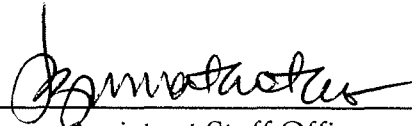
Judith T. Won Pat, Ed. D.
Speaker

Attested



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

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



Assistant Staff Officer
Maga'lahaen's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date: 17 APR 2009

Public Law No. 30-15

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

Bill No. 62 (COR)

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.

Ray Tenorio

T. C. Ada

F. B. Aguon, Jr.

T. R. Muña Barnes

F. F. Blas, Jr.

E. J.B. Calvo

B. J.F. Cruz

J. V. Espaldon

Judith Paulette Guthertz, DPA

v. c. pangelinan

M. J. Rector

R. J. Respicio

Telo Taitague

Judith T. Won Pat, Ed. D.

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

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Statement, Findings and Intent. Subsection (c) of

both §§77109 and 77110 of 10 GCA requires a bachelor's degree, which is a four

(4)-year degree program. Subsection (d) of both Sections provides for an

alternative to the subsection (c) requirement. *I Liheslaturan Guåhan* finds that the

trainings in subsection (d) can be completed in a twelve (12)-month period, as

opposed to the four (4)-year degree program. *I Liheslaturan Guåhan* further finds

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

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

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

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

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

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

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

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

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

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

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

12 (g) submit to psychological testing; and

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

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

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

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

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

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

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

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

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

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

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

12 (g) submit to psychological testing; and

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

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