


Speaker Judith T. Won Pat  
32<sup>nd</sup> Guam Legislature  
155 Hesler Place  
Hagatna, Guam 96910

April 15, 2014

32-14-1543  
Office of the Speaker  
Judith T. Won Pat, Ed. D.  
Date 4/21/14  
Time 1:21 PM  
Received by 

Dear Madam Speaker,

Please find attached Resolution Number 1 passed by the Guam Community Police Review Commission at its regular monthly meeting April 15, 2014. The resolution seeks the I Lehislaturan Guahan to revisit Public Law 30-76. The Commission finds that after several attempts it is not able to meet the objectives of Public Law 30-76. Its major challenge is the development of operational policies that require detailed analysis, research, discussions with the Guam Police Department, Civil Service Commission, perhaps other departments, conduct research and development, and reconciling policies with existing policies across department lines, etc.

The Police Review Commission is totally composed of volunteers who hold other full time responsibilities leaving little time to perform the requirements of P.L. 30-76. Most members have no experience in developing such requirements. Although through the generosity of the I Lehislaturan Guahan, funds were made available, but encumbering them also became an added burden due to processes and lack of follow up due to Commission Members participating only on volunteer time.

These challenges, I believe, has had a direct impact on the commission's ability to have a quorum necessary to carry out its business. We request the I Lehislaturan Guahan to review P.L. 30-76. We will be more than happy to have discussions with you to help accomplish the goals of P.L. 30-76. Please feel free to contact me should you have any questions.

/s/ Roland L.G. Taimanglo  
Chairman, Guam Community Police Review Commssion

2014 APR 21 PM 1:42

# **GUAM COMMUNITY POLICE REVIEW COMMISSION**

## ***Resolution Number 1***

**WHEREAS**, P.L. 25-46:4 (June 15, 1999) was enacted and “re-established” by P.L. 30-76 (January 22, 2010).

**WHEREAS**, in re-establishing Chapter 78, P.L. 30-76:1 notes that the “Guam Community Police Review Commission was abolished pursuant to P.L. 26-76: (March 12, 2002) for failing to meet in over twelve (12) months.”

**WHEREAS**, fourteen years later, there have been no significant accomplishments by the Guam Community Police Review Commission addressing the purpose of Chapter 78, which purpose is “to receive and investigate allegations of misconduct on the part of an employee or employees and making findings of fact and conclusions based upon those findings of fact”.

**WHEREAS**, the Commission has come nowhere near its mandate to develop and adjudicate standards, guidelines, procedures, criteria, etc., and seek final approval from the I Liheslaturan Guahan.

**WHEREAS**, the Commission has fallen short as a result of a lack of clarity in terms of support, leaving the impression that Commission Members are to assume extraordinary commitments not expected from other commissions to accomplish its mandate.

**WHEREAS**, commission members are merely appointed volunteers, having other fulltime responsibilities, many lacking knowledge and experience in developing such complex requirements outlined in P.L. 30-76.

**WHEREAS**, the leadership of the Guam Police may potentially be subjected to the mandate of the Guam Community Police Review Commission thereby discouraging full cooperation for a successful implementation of P.L. 30-76.

**WHEREAS**, clearly the purpose of the Commission as noted in Chapter 78 goes beyond “receiving and investigating allegations of misconduct, making findings of fact and conclusions”, but provides for taking disciplinary actions and even further, may over rule disciplinary decisions dispensed by the Chief of Police, which are currently guided by the Civil Service Rules and Regulations.

**WHEREAS**, the intention to promote additional police objectivity is critical, and already there exist more than one government entity that allows the citizenry to report police misconduct, to include, the Attorney General of Guam, The FBI, Guam Police Internal Affairs, and other agencies such as the Public Auditor of Guam, Child Protective Services, etc.

**WHEREAS**, the complexities, such as those potential conflicts between Civil Service Rules and Regulation, and the objectives of the Guam Police Review Commission, has open the Commission to potential lengthy litigations and wasted time and resources.

**WHEREAS**, although there are many resources available to develop standards, procedures, guidelines, criteria, etc., especially from technologies like the internet, missing is the detail analysis and discussions required between and by different government agencies such as the Civil Service Commission, the Attorney General of Guam, the Guam Police Department, etc., that are necessary to provide a complete, balanced, and acceptable standards, procedures, guidelines, criteria, etc.

**NOW THEREFORE**, on this day, Tuesday, April 15, 2014, the Guam Community Police Review Commission introduces Resolution Number 1 which after much deliberation, recommends to the I Liheslaturan Guahan to revisit P.L. 30-76 and provide legislations that would allow a framework that built- in strategies for a successful volunteer police review commission.

**AND THAT**, the I Liheslaturan Guahan address these strategies in two parts. First, to develop standards, procedures, guidelines, criteria, etc. Second, and subsequent, establish a volunteer commission that will operate and be guided by such standards, procedures, guidelines, criteria, etc.

**AND THAT**, the first part be modeled after the Police Officers Standards Training and rules and regulation "POST" Commission where members are salaried government employees facilitated by an Executive Director to develop all mandates of the POST Commission.

**AND THAT**, the second subsequent part, would be for the I Liheslaturan Guahan to re-establish a new volunteer Guam Community Police Review Commission under adjudicated legislative approved standards, procedures, guidelines, etc., to be followed and maintained henceforth.

**AND THAT**, the I Liheslaturan Guahan consider reviewing the purpose of the Commission and stay within the boundaries of performing reviews and forward findings to the Chief of Police, the Attorney General of Guam, the Governor of Guam, and the Committee Chairperson on Public Safety of the I Liheslaturan Guahan.

**AND THAT**, all law enforcement agencies, the Guam Police Department, Guam Airport Police, and all others are subjected to the same scrutiny.

**AND THAT**, the Guam Community Police Review Commission, recesses indefinitely until such time that the I Liheslaturan Guahan takes action.



**Roland L.G. Taimanglo**  
Chairman



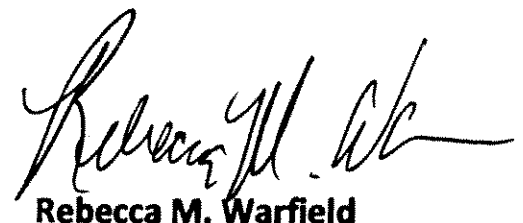
**Lawrence F. Castro**



**Edward B. Palacios**



**Jose T. Terfaje**



**Rebecca M. Warfield**



**Margaret Joan C. Blas**