

Office of the Governor of Guam

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Felix Perez Camacho  
Governor

Kaleo Scott Moylan  
Lieutenant Governor

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DEC 17 2003

12 DEC 2003

2:22  
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The Honorable Vicente C. Pangelinan  
Speaker  
I Mina'Bente Siete Na Liheslaturan Guahån  
Twenty-Seventh Guam Legislature  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 76 (COR), "AN ACT TO *AMEND* SECTION 5.55 AND TO *ADD* A NEW SECTION 5.56 TO CHAPTER 8 OF TITLE 8 OF THE GUAM CODE ANNOTATED FOR THE INCLUSION OF AIRPORT POLICE OFFICERS, PORT POLICE OFFICERS, AND GUAM PARK PATROL OFFICERS AS PEACE OFFICERS," which I have signed into law on November 13, 2003, as Public Law No. 27-36.

This legislation is in line with our commitment to have an integrated law-enforcement system under a Department of Public Safety. The Department of Public Safety will consolidate the activities of the Guam Police Department, the Guam Fire Department, the Guam International Airport Authority Police and Fire Department, the Port Authority of Guam Police, the Department of Corrections, and the Department of Youth Affairs. With the support of the Legislature, I hope to establish this integrated law-enforcement system to enable the different law-enforcement agencies to provide a nexus of available law enforcement resources to support each other in carrying out their missions.

With the passage of this measure, we must be committed to not only provide adequate training to our law enforcement personnel, but we must ensure that they have the tools they need to properly protect our people at all our ports of entry and in our public park areas. Also please note, that there is no Chapter 8 in Title 8. Public Law 27-36 should instead read Section 5.55 of Article 2 of Chapter 5 of Title 8.

Sincerely yours,

FELIX P. CAMACHO  
I Maga'låhen Guåhan  
Governor of Guam

Attachment: copy attached of signed bill

cc: The Honorable Tina Rose Muna-Barnes  
Senator and Legislative Secretary

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2003 (FIRST) Regular Session

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

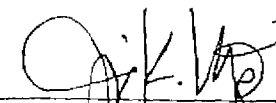
This is to certify Bill No. 76 (LS) "AN ACT TO AMEND SECTION 5.55 AND TO ADD A NEW SECTION 5.56 TO CHAPTER 8 OF TITLE 8 OF THE GUAM CODE ANNOTATED FOR THE INCLUSION OF AIRPORT POLICE OFFICERS, PORT POLICE OFFICERS, AND GUAM PARK PATROL OFFICERS AS PEACE OFFICERS", was on the 31<sup>st</sup> day of October, 2003, duly and regularly passed.

Attested:

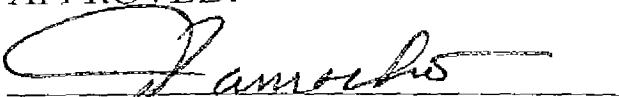
  
Tina Rose Muña Barnes  
Senator and Legislative Secretary

\_\_\_\_\_  
vicente (ben) c. pangelinan  
Speaker

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This Act was received by I Maga'lahaen Guåhan this 4<sup>th</sup> day of November, 2003, at 2:30  
o'clock P.M.

  
\_\_\_\_\_  
Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

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

Date: 11/13/03

Public Law No. 27-36

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN  
2003 (FIRST) Regular Session

**Bill No. 76 (LS)**

As amended by the Committee  
on Public Safety and Tourism  
and amended on the Floor.

Introduced by:

J. M. Quinata  
F.B. Aguon, Jr.  
Ray Tenorio  
T. R. Muña Barnes  
J. M.S. Brown  
F. R. Cunliffe  
C. Fernandez  
Mark Forbes  
L. F. Kasperbauer  
R. Klitzkie  
L. A. Leon Guerrero  
J. A. Lujan  
v. c. pangelinan  
Toni Sanford  
R. J. Respicio

AN ACT TO *AMEND* SECTION 5.55 AND TO ADD A  
NEW SECTION 5.56 TO CHAPTER 8 OF TITLE 8 OF THE  
GUAM CODE ANNOTATED FOR THE INCLUSION OF  
AIRPORT POLICE OFFICERS, PORT POLICE OFFICERS,  
AND GUAM PARK PATROL OFFICERS AS PEACE  
OFFICERS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Section 5.55 of Article 2 of Chapter 8 of Title 8 of the  
3 Guam Code Annotated is *amended* to read:

4 "§5.55. Peace Officer Defined.

1 As used in this Code, peace officer includes:

- 2 (a) All Municipal Mayors;
- 3 (b) All Municipal Vice Mayors;
- 4 (c) The Chief of Police and all Officers of the Guam Police  
5 Department;
- 6 (d) Correction and Parole Officers of the Department of  
7 Corrections;
- 8 (e) The Attorney General and those investigators  
9 employed by the Attorney Generals' Office whom the  
10 Attorney General specifically designates;
- 11 (f) Customs and Quarantine Officers of the Customs and  
12 Quarantine Agency, and those persons under the  
13 service of the Agency whom the Director of Customs  
14 specifically designates;
- 15 (g) Conservation Officers of the Department of  
16 Agriculture;
- 17 (h) Compliance Officers and Criminal Investigation  
18 Supervisors and Criminal Tax Investigators of the  
19 Department of Revenue and Taxation;
- 20 (i) Superior Court Marshals, Deputy Marshals, and  
21 Special Deputy Marshals;
- 22 (j) Employees of the Department of Youth Affairs who  
23 are engaged in juvenile detention and rehabilitation  
24 work as designated by the Director of the Department  
25 of Youth Affairs;

1 (k) Probation Officers of the Superior Court of Guam;

2 (l) Criminal Investigators of the United States  
3 Government defined as any individual duly authorized by a  
4 department, agency or armed force of the United States to conduct  
5 or engage in investigations of or prosecutions for violations of the  
6 criminal laws of the United States. Included, but not limited to this  
7 Subsection, would be Criminal Investigators of the Drug  
8 Enforcement Administration;

9 (m) Fire personnel when engaged in the enforcement of the  
10 Fire Prevention Code as designated by the Fire Chief of the Guam  
11 Fire Department;

12 (n) All Guam Airport Police Officers;

13 (o) All of the Jose D. Leon Guam Port Authority Police  
14 Officers; and

15 (p) All Guam Park Patrol Officers.”

16 **Section 2.** Add a new §5.56 to Chapter 8 of Title 8 of the Guam  
17 Code Annotated to read:

18 “§5.56. Peace Officers to yield to Guam Police  
19 Department. A peace officer while acting within his statutory law  
20 enforcement authority outside of his jurisdiction shall yield and be  
21 subordinated to a peace officer of the Guam Police Department  
22 who subsequently responds having such jurisdiction as provided  
23 within 10 GCA §77103.”

24 **Section 3. Severability.** *If* any provision of this Law or its  
25 application to any person or circumstance is found to be invalid or

1 contrary to law, such invalidity shall *not* affect other provisions or  
2 applications of this Law which can be given effect without the invalid  
3 provisions or application, and to this end the provisions of this Law are  
4 severable.