

MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 375-32 (COR)

Introduced by:

Brant McCreadie 

AN ACT TO AMEND §§77110.1 AND 77110.2, AND TO REPEAL §§ 77110.3 AND 77110.4 OF CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE MINIMUM REQUIREMENTS FOR POSITIONS WITHIN THE GUAM POLICE DEPARTMENT.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that
3 the minimum education and experience requirements for Police Colonel, Police
4 Major, Police Captain and Police Lieutenant are enumerated in §§77110.1, 77110.2,
5 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated respectively. *I*
6 *Liheslaturan Guåhan* further finds that while the Guam Police Department's overall
7 mission to protect the island and people of Guam remains the same, modern
8 developments in policing and the public safety arena has led to the need for a more
9 well-rounded and dynamic police force.

10 *I Liheslaturan Guåhan* finds that current law has become too stringent, which
11 has in turn denied many qualified, long serving police officers the opportunity for
12 advancement in the Department. As such, it is incumbent that current statute be
13 amended to allow officers with many years of experience equal opportunities for
14 advancement.

15 *I Liheslaturan Guåhan* further finds that educational requirement that
16 candidates for these positions obtain degrees in "Police Science, Criminal Justice

1 Administration, Public Administration, or closely related field” limits the pool of
2 qualified candidates for these positions, and that this requirement has actually
3 adversely affected the department in its mission. With the rise of technology and the
4 increase in cases involving mentally ill persons as well as family violence and similar
5 crimes, it is crucial that GPD begin to broaden its scope when finding qualified
6 individuals to run the department. Degrees in fields such as computer science,
7 mathematics, social work and psychology, just to name a few, would be invaluable
8 tools in 21st century policing.

9 Therefore, it is the intent of *I Liheslaturan Guåhan* to adjust the minimum
10 requirements for various management positions in the Guam Police Department to
11 reflect the broader scope of police duties by amending §§77110.1 and 77110.2, and by
12 repealing 77110.3 and 77110.4 of Chapter 77, Title 10, Guam Code Annotated.

13 **Section 2.** §77110.1, of Chapter 77, Title 10, Guam Code Annotated is hereby
14 *amended* to read:

15 **“§ 77110.1. Police Colonel.**

16 The Police Colonel shall be a uniformed classified officer. The Police
17 Colonel, who shall serve as Police Commander, shall meet the following
18 minimum qualifications, experience, and training, in addition to those
19 prescribed by the Director of Administration:

20 (a) Graduated with a Master’s Degree ~~in Police Science, Criminal Justice~~
21 ~~Administration, Public Administration, or closely related field or discipline~~
22 from an accredited ~~institution~~ college or university recognized by the Council
23 for Higher Education Accreditation (CHEA) or its successors and must have at
24 least ~~two (2)~~ four (4) years of experience in the rank of Police Major, or
25 equivalent law enforcement experience in administration or management that

1 requires the minimum knowledge, abilities, and skills to perform the duties of a
2 Police Major; or

3 (b) Graduated with a Bachelor's Degree ~~in Police Science, Criminal~~
4 ~~Justice Administration, Public Administration, or closely related field or~~
5 ~~discipline~~ from an accredited ~~institution~~ college or university recognized by the
6 Council for Higher Education Accreditation (CHEA) or its successors, and must
7 have at least ~~four (4)~~ six (6) years of experience in the rank of Police Major, or
8 equivalent law enforcement experience in administration or management that
9 requires the minimum knowledge, abilities, and skills to perform the duties of a
10 Police Major;

11 (c) Have no felony, domestic or family violence conviction;

12 (d) Submit to and pass a drug screening test, including, but not limited to,
13 a urinalysis test; and

14 (e) Other necessary special qualifications as established by the
15 Department of Administration not inconsistent with (a) above.”

16 **Section 3.** §77110.2, of Chapter 77, Title 10, Guam Code Annotated is hereby
17 *amended* to read:

18 **“§ 77110.2. Police Major.**

19 A Police Major shall be a uniformed classified officer and shall meet the
20 following minimum qualifications, experience, and training, in addition to those
21 prescribed by the Department of Administration:

22 (a) Graduated with a ~~Bachelor's Degree~~ Master's Degree ~~in Police~~
23 ~~Science, Criminal Justice Administration, Public Administration, or closely~~
24 ~~related field or discipline~~ from an accredited ~~institution~~ college or university
25 recognized by the Council for Higher Education Accreditation (CHEA) or its

1 successors along with four (4) years of experience in the rank of Police Captain
2 or higher law enforcement rank or equivalent experience; or

3 ~~(b) Must have at least two (2) years of experience in the rank of Police~~
4 ~~Captain, or equivalent law enforcement experience in administration or~~
5 ~~management level; and graduated with a Bachelor's Degree from an accredited~~
6 ~~college or university recognized by the Council for Higher Education~~
7 ~~Accreditation (CHEA) or its successors along with six (6) years of experience~~
8 ~~in the rank of Police Captain or higher law enforcement rank or equivalent~~
9 ~~experience; or~~

10 (c) Successful completion of no less than one hundred twenty (120)
11 college credits from an accredited college or university recognized by the
12 Council for Higher Education Accreditation (CHEA) or its successors along
13 with eight (8) years of experience in the rank of Police Captain or higher law
14 enforcement rank or equivalent experience. Credits earned in the Police
15 Academy shall count towards this requirement; and

16 (d) Other necessary special qualifications as established by the
17 Department of Administration not inconsistent with (a), ~~and~~ (b) and (c) above.”

18 **Section 4.** §§77110.2 and 77110.3, of Chapter 77, Title 10, Guam Code
19 Annotated is hereby *repealed*.

20 **Section 5. Reversion to Previous Job Standard.** The job standards for Police
21 Captain and Police Lieutenant approved and adopted by the Guam Police Department
22 and the Department of Administration prior to the establishment of §§77110.2 and
23 77110.3 shall resume effect immediately upon passage of this Act.

24 **Section 6. Effective Date.** This Act shall be effective upon enactment.

25 **Section 7. Severability.** *If* any provision of this Law or its application to any
26 person or circumstance is found to be invalid or contrary to law, such invalidity shall

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