


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

Bill No. 62(corr)

Introduced by:

Adolpho B. Palacios, Sr. 

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AN ACT TO AMEND SECTION 77109, APPOINTMENT OF THE CHIEF OF POLICE, AND SECTION 77110, APPOINTMENT OF THE DEPUTY CHIEF OF POLICE OF 10 GCA, CHAPTER 77, BY DELETING SUBSECTION (d) FROM BOTH SECTION 77109 AND SECTION 77110.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

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

3 both §77109 and §77110 requires a bachelor's degree, which is a four-year degree

4 program. Subsection (d) of both Sections provides for an alternative to

5 subsection (c) requirement. *I Liheslaturan Guåhan* finds that the trainings in

6 subsection (d) can be completed in a 12-month period, as opposed to the four-

7 year degree program. *I Liheslaturan Guåhan* further finds that the Federal Bureau

8 of Investigation National Academy training and the Northwestern Traffic

9 Institute Police Staff Command (NWTI/PSC) Course are both conducted in the

10 United States mainland. Opportunities for attendance in either training course

11 are very limited and very restrictive. For example, the Federal Bureau of

12 Investigation National Academy training is by invitation only, and limited to not

1 from the Guam Police Department (GPD). The NWTI/PSC Course is a nine-
2 month course and is held in Chicago, Illinois. Attendance to this training is at
3 the expense of GPD (if GPD employee) to include full salary status and per diem
4 allowance. Several individuals who may be interested in the position of Chief of
5 Police or Deputy Chief of Police, have expressed that those officers who were
6 fortunate to attend one of the two training courses were in fact, granted a “short-
7 cut” to the four-year degree requirement, thus placing them at an unfair
8 advantage over those with four-year college degree, but did not have the
9 stateside training.

10 It is therefore, the intent of *I Liheslaturan Guåhan* to “even the playing
11 field” and thus provide for equal opportunity for competing for the position of
12 Chief of Police and Deputy Chief of Police, by deleting subsection (d) of Sections
13 77109 and 77110.

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

16 **§ 77109. Appointment of the Chief of Police.**

17 The Chief of Police shall be appointed by the Governor with the
18 advice and consent of the Guam Legislature and shall meet the following
19 qualifications:

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

1 (b) have no less than fifteen (15) years of progressive experience in a
2 governmental law enforcement position, including at least five (5) years at the
3 supervisory command level and five (5) years in a senior position with law
4 enforcement management responsibilities; and ~~either~~

5 (c) graduation with a bachelor's degree in Police Science, Criminal Justice
6 Administration or closely related field or discipline at nationally accredited
7 institution; ~~or~~ and

8 ~~(d) graduation from a recognized enforcement management training~~
9 ~~institution, including, but not limited to, the FBI National Academy or the~~
10 ~~Northwestern Traffic Institute Police Staff Command Course, or nationally~~
11 ~~recognized law enforcement management institution; and~~

12 ~~(d)~~ (e) have no felony, domestic or family violence convictions; and

13 ~~(e)~~ (f) submit to and pass a drug screening test, including but not limited
14 to, urinalysis testing; and

15 ~~(f)~~ (g) be of good health and good moral character; and

16 ~~(g)~~ (h) submit to psychological testing; and

17 ~~(h)~~ (i) submit to and pass a polygraph examination.

18 ~~(i)~~ (j) No person shall be appointed as Chief of Police before a thorough
19 investigation of the appointee's background and moral character is completed.

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

3 **§ 77110. Appointment of Deputy Chief of Police.**

4 The Chief of Police shall appoint a Deputy Chief Police who shall
5 occupy a position in the unclassified service. The Deputy Chief of Police shall
6 perform the duties as designated by the Chief of Police. The Deputy Chief shall
7 meet the following qualifications:

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

9 (b) have no less than ten (10) years of progressive management experience
10 in local or Federal governmental law enforcement, including at least three (3)
11 years in an executive command level position; and ~~either~~

12 (c) graduated with a bachelor's degree in Police Science, Criminal Justice
13 Administration, or closely related field or discipline, at a nationally accredited
14 institution; ~~or~~ and

15 ~~(d) graduated from a recognized enforcement management training~~
16 ~~institution, including, but not limited to, the FBI National Academy or the~~
17 ~~Northwestern Traffic Institute Police Staff Command Course, or nationally~~
18 ~~recognized law enforcement management institution; and~~

19 (d) ~~(e)~~ have no felony, domestic or family violence conviction; and

1 ~~(e)~~ ~~(f)~~ submit to and pass a drug screening test, including, but not limited
2 to, a urinalysis test; and
3 ~~(f)~~ ~~(g)~~ be of good health and good moral character; and
4 ~~(g)~~ ~~(h)~~ submit to psychological testing; and
5 ~~(h)~~ ~~(i)~~ submit to and pass a polygraph examination.
6 ~~(i)~~ ~~(j)~~ No person shall be appointed as Deputy Chief of Police before a
7 thorough investigation of the appointee's background and moral character is
8 completed.