

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

Bill No. 60(COR)

Introduced by:

Adolpho B. Palacios, Sr.



AN ACT TO ESTABLISH MINIMUM QUALIFICATIONS
FOR MANAGEMENT LEVEL UNIFORMED POSITIONS IN
THE GUAM POLICE DEPARTMENT, BY ADDING NEW
SUBSECTIONS 77110.2, 77110.3, AND 77110.4 TO 10 GCA,
CHAPTER 77, SECTION 77110, APPOINTMENT OF DEPUTY
CHIEF OF POLICE.

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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 recent events concerning the filling of a Guam Police Captain position raised questions

4 and serious concerns regarding the propriety and timing by which the qualifications for

5 the position was revised, and then filled immediately on the spot, by a candidate who

6 would not have otherwise qualified if the qualifications requirements were not lowered.

7 *I Liheslaturan Guåhan* believes that the lowering of the standards was not necessary and

8 not justified in light of the fact that sufficient number of candidates have already met

9 the higher standards which were in place prior to the revisions. Immediately prior to,

10 and leading up to the adoption by the Department of Administration of the revised

11 standards, *I Liheslaturan Guåhan* received complaints and grievance from incumbent

1 police officers of what they perceived as politically motivated action in the lowering of
2 the standards. For example, leading up to the few days prior to the approval by the
3 Department of Administration of the revised qualifications for the uniformed positions,
4 one of which was the "Police Captain", *I Liheslaturan Guåhan* received complaints that a
5 "GG-1" has already been signed, clearing the way for the filling of the position by a
6 Guam International Airport Authority employee. In addition, Police Officers have
7 expressed discontent that their testimonies which they presented during a series of
8 meetings held by the Guam Police Department were not considered at all. They
9 expressed further that the approval of the proposed revisions, then, was a forgone
10 conclusion.

11 *I Liheslaturan Guåhan* finds that it is not unprecedented that minimum
12 qualifications for a uniformed staff position in the Guam Police Department (GPD)
13 were established by law, i.e. "Police Commander" (§77110.1). In fact, GPD attempted to
14 revise and lower the qualifications for the Police Commander, only to find out in the
15 process that the revision can only be done through an amendment to an existing statute.
16 The Police Commander, with the rank of "Colonel" is the highest classified uniformed
17 position in GPD established by §77110.1 of 10 GCA.

18 It is the intent of *I Liheslaturan Guåhan*, therefore, to re-instate the minimum
19 qualifications for: Police Major, Police Captain, and Police Lieutenant by adding new
20 sub-sections 77110.2; 77110.3; and 77110.4 to 10 GCA.

1 **Section 2.** §77110 of Chapter 77, Title 10, Guam Code Annotated, is hereby
2 amended by adding new subsections 77110.2, 77110.3, and 77110.4, to read as follows:

3 **§ 77110.1. Police Commander.**

4 The Chief of Police shall select a *Police Commander*, who shall be a uniformed
5 classified officer to hold the rank of Colonel. The Police Commander shall meet the
6 following minimum qualifications, in addition to those prescribed by the Director of
7 Administration:

8 (a) be at least thirty (30) years of age; and

9 (b) graduated with a bachelor's degree in Police Science, Criminal Justice
10 Administration, or closely related field or discipline, at a nationally accredited
11 institution; and

12 (c) have no felony, domestic or family violence conviction; and

13 (d) submit to and pass a drug screening test, including, but not limited
14 to, a urinalysis test.

15 **§ 77110.2. Police Major.**

16 The Chief of Police shall select a "Police Major", who shall be a uniformed
17 classified officer. The Police Major shall meet the following minimum qualifications,
18 experience, and training, in addition to those prescribed by the Department of
19 Administration:

1 (a) graduated with a bachelor's degree in Police Science, Criminal Justice
2 Administration, Public Administration, or closely related field of discipline, at a
3 nationally accredited institution; and

4 (b) must have at least two (2) years of experience in the rank of Police Captain, or
5 equivalent Law Enforcement experience in administration or management level; and

6 (c) other necessary special qualifications as established by Department of
7 Administration not inconsistent with "a" & "b" above.

8 **§ 77110.3. Police Captain.**

9 The Chief of Police shall select a "Police Captain", who shall be a uniformed
10 classified officer. The Police Captain shall meet the following minimum qualifications,
11 experience, and training, in addition to those prescribed by the Department of Labor:

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

15 (b) must have at least two (2) years of experience in the rank of Police Lieutenant,
16 or equivalent Law Enforcement experience in administration or management level; and

17 (c) other necessary special qualifications as established by Department of
18 Administration not inconsistent with "a" & "b" above.

19 **§ 77110.4. Police Lieutenant.**

1 The Chief of Police shall select a "Police Lieutenant", who shall be a uniformed
2 classified officer. The Police Lieutenant shall meet the following minimum
3 qualifications, experience, and training, in addition to those prescribed by the
4 Department of Labor:

5 (a) graduation with an Associate's Degree in Police Science, Criminal Justice
6 Administration, Public Administration, or closely related field of discipline at a
7 nationally accredited institution, or successful completion of not less than 75 college
8 credits 75% of which are in the field of Law Enforcement, Public Safety, or closely
9 related field of discipline at a nationally accredited institution; and

10 (b) must have at least two (2) years of experience in the rank of Police Sergeant II,
11 or equivalent supervisory experience, or must have at least four (4) years of experience
12 in the rank of Police Sergeant I, or equivalent supervisory experience; and

13 (c) other necessary special qualifications as established by Department of
14 Administration not inconsistent with "a" & "b" above."