



CARL T.C. GUTIERREZ  
GOVERNOR OF GUAM

Office of the Speaker  
ANTONIO R. UNPINGCO  
Date: 8/17/98  
Time: 11:15  
Rec'd by: Eue  
Print Name: Laurie

**Refer to  
Legislative Secretary**

**AUG 14 1998**

The Honorable Antonio R. Unpingco  
Speaker  
Mina'Bente Kuåttro na Liheslaturan Guåhan  
Twenty-Fourth Guam Legislature  
Guam Legislature Temporary Building  
155 Hesler Street  
Hagåtña, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>Agana</u>
Time	<u>8:45 am</u>
Date	<u>8/18/98</u>

Dear Speaker Unpingco:

Enclosed please find Substitute Bill No. 606 (COR), "AN ACT TO ADD \$3103.4 TO ARTICLE 1, CHAPTER 3, DIVISION 1, PART 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO CREATING THE MUNICIPAL POLICE DIVISION AS A PERMANENT DIVISION OF THE GUAM POLICE DEPARTMENT, AND TO MANDATE MINIMUM STAFFING LEVELS AND FUNDING FOR THE MUNICIPAL POLICE IN ORDER TO MAKE OUR VILLAGES SAFER", which I have signed into law today as **Public Law No. 24-241**.

This legislation adds a Division of Municipal Police as a permanent division of the Guam Police Department. For staffing considerations, the Municipal Police Program should be a unit instead of a division. The legislation mandates:

- a) each village must have a minimum of 1 police station, which may be in the form of a "koban".
- b) each village must have a minimum of 2 police officers capable of patrol and responding to calls at all times. For villages of more than 2,000 residents, 1 additional officer is required for each additional 2,000 residents for each shift.
- c) An officer assigned to a police station shall be considered assigned to that village on a full time basis. A police officer in the Division

00957

of Municipal Police cannot be transferred out of a village station, except for promotion, discipline, or emergencies, for a period of 2 years.

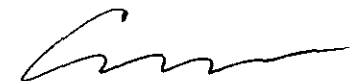
d) Municipal police officers are supposed to be permanent community members and to work with the mayor of their village to establish neighborhood watch and other crime prevention programs.

e) This legislation allows 12 months to implement the program. During this time, command structure, designation of personnel, training cycles, and preparation of police stations is to take place.

f) The Chief of Police shall inform the Governor within 90 days of required funds to establish this program. There is no funding provided in this legislation for the program, other than whatever funds may be available from transfers of funds.

This legislation cites to prior code sections concerning the Guam Police Department which were repealed by the enactment of Public Law No. 24-23. That public law established a new Chapter 77 of Title 10 encompassing the Guam Police Department.

Very truly yours,



Carl T. C. Gutierrez  
I Maga'lāhen Guåhan  
Governor of Guam

00857

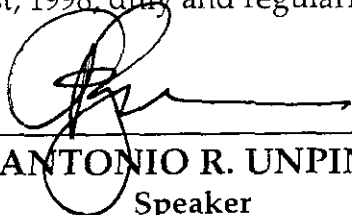
Attachment:     copy attached for signed bill  
                     original attached for vetoed bill

cc:    The Honorable Joanne M. S. Brown  
         Legislative Secretary

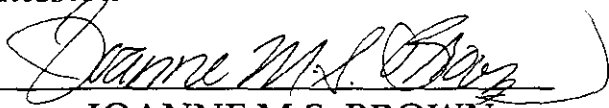
MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN  
1998 (SECOND) Regular Session

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

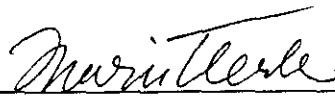
This is to certify that Substitute Bill No. 606 (COR), "AN ACT TO ADD §3103.4 TO ARTICLE 1, CHAPTER 3, DIVISION 1, PART 1 OF TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO CREATING THE MUNICIPAL POLICE DIVISION AS A PERMANENT DIVISION OF THE GUAM POLICE DEPARTMENT, AND TO MANDATE MINIMUM STAFFING LEVELS AND FUNDING FOR THE MUNICIPAL POLICE IN ORDER TO MAKE OUR VILLAGES SAFER," was on the 3<sup>rd</sup> day of August, 1998, duly and regularly passed.

  
ANTONIO R. UNPINGCO  
Speaker

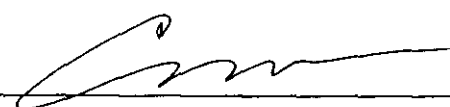
Attested:

  
JOANNE M.S. BROWN  
Senator and Legislative Secretary

-----  
This Act was received by I Maga'lahaen Guahan this 7th day of August, 1998,  
at 2:45 o'clock P.M.

  
Assistant Staff Officer  
Maga'lahaen's Office

APPROVED:

  
CARL T. C. GUTIERREZ  
I Maga'lahaen Guahan

Date: 8-14-98

Public Law No. 24-241

**MINA'BENTE KUATTRO NA LIHESLATURAN GUAHAN**  
**1998 (SECOND) Regular Session**

**Bill No. 606 (COR)**

As substituted by the Author  
and amended on the Floor.

Introduced by:

Mark Forbes  
A. C. Lamorena V  
F. B. Aguon, Jr.  
E. J. Cruz  
J. M.S. Brown  
T. C. Ada  
A. C. Blaz  
Felix P. Camacho  
Francisco P. Camacho  
M. C. Charfauros  
W. B.S.M. Flores  
L. F. Kasperbauer  
C. A. Leon Guerrero  
L. A. Leon Guerrero  
V. C. Pangelinan  
J. C. Salas  
A. L.G. Santos  
F. E. Santos  
A. R. Unpingco  
J. Won Pat-Borja

**AN ACT TO ADD §3103.4 TO ARTICLE 1,  
CHAPTER 3, DIVISION 1, PART 1 OF TITLE 5 OF  
THE GUAM CODE ANNOTATED, RELATIVE TO  
CREATING THE MUNICIPAL POLICE DIVISION  
AS A PERMANENT DIVISION OF THE GUAM  
POLICE DEPARTMENT, AND TO MANDATE  
MINIMUM STAFFING LEVELS AND FUNDING  
FOR THE MUNICIPAL POLICE IN ORDER TO  
MAKE OUR VILLAGES SAFER.**

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

2        **Section 1.** Section 3103.4 is hereby added to Article 1, Chapter 3,  
3 Division 1, Part 1 of Title 5 of the Guam Code Annotated to read as follows:

4                **"Section 3103.4. Division of Municipal Police.**

5                (a) There is established within the Guam Police Department a  
6 Division of Municipal Police as a permanent division of the Guam  
7 Police Department, such division being responsible for patrol duties and  
8 the enforcement of laws within each of the Island's villages and such  
9 duties as are assigned to it by this Section.

10              (b) Each village in Guam shall have a minimum of one (1) police  
11 station. Such station may be a '*koban*' or '*Fansagayan Pulisiha*' as may  
12 already exist or may be space assigned within the community center of  
13 that village, or such other space as may be provided by the Mayor or the  
14 Guam Police Department within a village. In villages of large or  
15 geographically scattered population, more than one (1) police station  
16 may be designated. The location of each police station shall be  
17 prominently designated and the Chief of Police shall take steps to  
18 ensure that the public is aware of the location of each police station in  
19 each village.

20              (c) There shall be a minimum of two (2) officers capable of  
21 patrol and responding to calls assigned to each village police station at  
22 all times. In addition, in every village which has a population of more  
23 than two thousand (2000) persons as determined by the most recent  
24 census, there shall one (1) additional officer assigned to that village in

1 each shift for every additional two thousand (2,000) persons in  
2 population. These are only minimums. The Chief of Police shall  
3 supplement additional personnel as is perceived beneficial or necessary.

4 (d) Officers assigned to a police station in a village shall be  
5 considered as being assigned to such village on a full-time basis, and  
6 shall wear a patch prominently designating them as police officers for  
7 the village to which they are assigned.

8 (e) Officers assigned to a village police station are *not* to be  
9 transferred out of such station for at least two (2) years, except for  
10 purposes of promotion, or for documented disciplinary reasons, or in  
11 the case of an emergency as determined by the Chief of Police.

12 (f) Municipal Police officers are intended to become permanent  
13 members of the communities to which they are assigned. As such,  
14 activities involving the community are to be encouraged and municipal  
15 police and village police stations are to be encouraged to participate in  
16 community activities.

17 (g) Municipal Police officers in a village, working closely with  
18 the Mayor, are responsible for establishing neighborhood watch  
19 programs and other crime prevention programs involving the direct  
20 participation of community members. Moreover, they are responsible,  
21 in coordination with the Mayor, for conducting crime prevention  
22 seminars, training and other similar functions at a village level."

23 **Section 2. Implementation.** Upon enactment of this Act, a twelve  
24 (12) month transition period shall commence. During such transition, the  
25 Guam Police Department shall establish a command structure for the Division

1 of Municipal Police; designate existing personnel for assignment to the new  
2 Division; conduct training cycles for additional officers as required; designate  
3 and prepare police stations as required by this Act; begin coordination efforts  
4 with Guam's Mayors; acquire and prepare equipment needed for the police  
5 stations and municipal police to function; determine staffing patterns for all  
6 villages and police stations, provided, the bare minimums established by this  
7 Act are met and all preparatory activities as deemed appropriate by the Chief  
8 of Police. Within ninety (90) days of the enactment of this Act, the Chief of  
9 Police shall inform *I Maga'lahaen Guahan* of funds required to begin  
10 implementation of this Act. *I Maga'lahaen Guahan* shall utilize his existing  
11 transfer authority to transfer such funds as are required to the Guam Police  
12 Department for the purpose of implementing this Act. The Chief of Police  
13 shall also prepare a budget request, detailing funding requirements for the  
14 subsequent fiscal year. By no later than twelve (12) months after the date of  
15 enactment of this Act, all provisions of §3103.4. of Title 5 of the Guam Code  
16 Annotated shall be in effect.

PL24-241



**2<sup>nd</sup> Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
**Senator Mark Forbes, Chairman**

**JUL 27 1998**

Speaker Antonio R. Unpingco  
I Mina' Bente Kuattro Na Liheslaturan Guahan  
155 Hesler Street  
Hagåtña, Guam 96910

Dear Mr. Speaker:

The Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 606 was referred, wishes to report its findings and recommendations **TO DO PASS BILL NO. 606** "An act to create the Municipal Police Division as a permanent division of the Guam Police Department and to mandate minimum staffing levels and funding for the municipal police, in order to make our villages safer."

The voting record is as follows:

TO PASS

7

NOT TO PASS

0

ABSTAIN


0

TO PLACE IN INACTIVE FILE

0

Copies of the Committee Report and other pertinent documents are attached.

Thank you and si Yu'os ma'ase for your attention to this matter.

  
**MARK FORBES**

Attachments



**2<sup>nd</sup> Guam Legislature**  
**Committee on Rules, Government**  
**Reform and Federal Affairs**  
***Senator Mark Forbes, Chairman***

---



**MEMORANDUM**

**TO:** Committee Members

**FROM:** Chairman

**SUBJECT:** Committee Report- Bill No. 606 "An act to create the Municipal Police Division as a permanent division of the Guam Police Department and to mandate minimum staffing levels and funding for the municipal police, in order to make our villages safer."

Transmitted herewith for your information and action is the report on Bill No. 606 from the Committee on Rules, Government Reform and Federal Affairs.

This memorandum is accompanied by the following:

1. Committee Voting Sheet
2. Committee Report
3. Bill No. 606
4. Public Hearing Sign-in Sheet
5. Fiscal Note/ Fiscal Note Waiver
6. Notice of Public Hearing

Please take the appropriate action on the attached voting sheet. Your attention and cooperation in this matter is greatly appreciated.

Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.

Thank you and si Yu'os ma'ase.

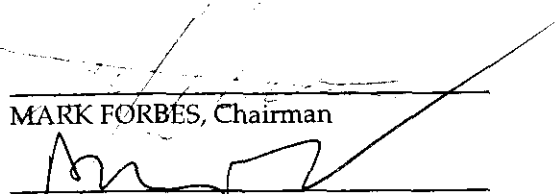
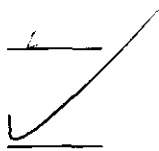
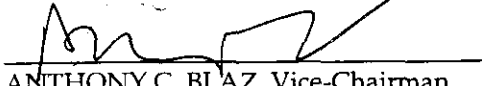

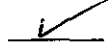



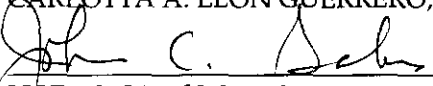
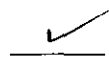
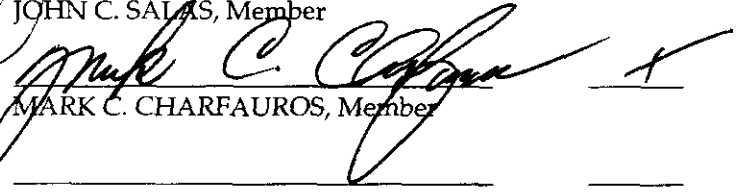



**MARK FORBES**

Attachments

**Committee on Rules, Government Reform and Federal Affairs**  
**I Mina' Bente Kuáttro Na Liheslaturan Guahan**

**Voting Record**

Bill No. 606 "An act to create the Municipal Police Division as a permanent division of the Guam Police Department and to mandate minimum staffing levels and funding for the municipal police, in order to make our villages safer."

	<u>TO</u> <u>PASS</u>	<u>NOT TO</u> <u>PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE</u> <u>FILE</u>
 MARK FORBES, Chairman				
 ANTHONY C. BLAZ, Vice-Chairman				
JOANNE M. S. BROWN, Member				
 FELIPE P. CAMACHO, Member				
EDUARDO J. CRUZ, M.D., Member				
LAWRENCE F. KASPERBAUER, Member				
ALBERTO A. C. LAMORENA V., Member				
 CARLOTTA A. LEON GUERRERO, Member				
 JOHN C. SALAS, Member				
 MARK C. CHARFAUROS, Member				
FRANCIS E. SANTOS, Member				
 ANTONIO R. UNPINGCO, Member				

**I Mina' Bente Kuåttro Na Liheslaturan Guahan**

**Committee On Rules,  
Government Reform & Federal Affairs  
Senator Mark Forbes, Chairman**

**Committee Report  
on**

**Bill No. 606**

**“An act to create the Municipal Police Division as a permanent  
division of the Guam Police Department and to mandate  
minimum staffing levels and funding for the municipal police, in  
order to make our villages safer.”**

## **I. OVERVIEW**

The Committee on Rules, Government Reform and Federal Affairs held a public hearing on Monday, June 29, 1998 at 9:00 a.m. at I Liheslaturan Guahan. Public Notice of the hearing was announced in the June 18<sup>th</sup>, 25<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, 1998 issues of the Pacific Daily News.

Senators in attendance were:

- Senator Mark Forbes, Chairman
- Senator Mark Charfauros, Member
- Senator Edwardo Cruz, Member
- Senator Larry Kasperbauer, Member
- Senator John Salas, Member
- Senator Frank Aguon

Appearing before the Committee were:

- Mr. Eugene Santos
- Mayor Nonito Blas
- Captain James Marques, Chief of Police, Guam Police Department

## **II. SUMMARY OF TESTIMONY**

Mr. Eugene Santos, member of the Chalan Pago Municipal Council, presented oral testimony **in favor** of the measure. Mr. Santos stated that the bill has his full support because it helps to re-establish a presence of "responsible thinking" in the community. Mr. Santos further stated that the implementation of Bill 606 would help reduce injuries and result in a decrease of speed-limit violations in the community. He went on to say that he believes that such a presence of police officers in the villages would assist in having officers respond to crime scenes sooner.

Mayor Nonito Blas presented oral testimony **in favor** of Bill 606. In his testimony, Mayor Blas stressed the need to continue programs such as Neighborhood Watch and the Koban system. He stated that he hoped that the measure would be enacted, as the community is in dire need of an immediate police response to situations that could become life threatening, before they escalate into acts of injury.

Captain James Marques, Chief of Police, Guam Police Department, offered oral testimony **in favor** of Bill 606. In his testimony, Captain Marques suggested that the author of the measure consider inserting a clause in the measure that would establish a two-year rotation of the officers assigned to the Municipal Police Division.

## **III. FINDINGS AND RECOMMENDATIONS**

The Committee on Rules, Government Reform and Federal Affairs finds that the purpose of Bill No. 606 is to establish a permanent presence of the Guam Police Department in each of our island's villages. This presence would enable a certain set of assigned officers to develop a relationship with the specific village community that they serve. The move to centralize our police services have resulted in a police force that have no direct connection with the community that they provide protection for. Bill 606 would allow for this type of direct service within each village.

Furthermore, the bill would designate a set number of officers from the Municipal Police Division to

each Fansagayan Pulisiha or Urban. Such officers would become permanent members of the communities to which they are assigned and would establish such programs as a Neighborhood Watch as well as training seminars for the community. The intent of the measure is to have these officers develop a relationship with their community so that they know the members of the community by name, in order to better serve the community.

The Committee further finds that upon passage of this measure, there would be a *permanent* presence in the villages, rather than a temporary effort that is likely to lapse in the passage of time. Rather than this being a temporary reaction, it would provide for a permanent, minimum staffing of officers that must be assigned to this division. This measure would ensure that this is a long-term service to the people of Guam.

Accordingly, the Committee on Rules, Government Reform and Federal Affairs, to which Bill No. 606 was referred does hereby submit its findings and recommendations to I Mina' Bente Kuåttro Na Liheslaturan Guahan **TO DO PASS** Bill No. 606 "An act to create the Municipal Police Division as a permanent division of the Guam Police Department and to mandate minimum staffing levels and funding for the municipal police, in order to make our villages safer."

**Senator Mark Forbes, Chairman**

Monday June 29, 1998

9:00 a.m.

## I Liheslaturan Guahan, Hagåtña

**Bill No. 606 "An act to establish a Division of Municipal Police, otherwise designated the Division of Municipal Sheriffs, as a permanent division within the Guam Police Department in order to increase police presence in Guam's villages on a permanent basis and help further protect our people against crime."**

[illegible]

**FISCAL NOTE**  
**BUREAU OF BUDGET AND MANAGEMENT RESEARCH**

**BBMR-F7**

Bill Number: 606(COR)  
 Amendatory Bill: Yes  
 Department/Agency Affected: Guam Police Department  
 Department/Agency Head: James Marquez, Chief of Police  
 Total FY Appropriation to Date: \$27,500,000

Date Received: 06/29/98  
 Date Reviewed: 06/15/98

**Bill Title (preamble):**

*An act to create the Municipal Police Division as a permanent division of the Guam Police Department and to mandate minimum staffing levels and funding for the municipal police, in order to make our villages safer.*

Change in Law: Yes

**Bill's Impact on Present Program Funding:**

Increase x Decrease \_\_\_\_\_ Reallocation \_\_\_\_\_ No Change \_\_\_\_\_

**Bill is for:**

Operations x Capital Improvement \_\_\_\_\_ Other \_\_\_\_\_

**FINANCIAL/PROGRAM IMPACT**

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Public Health & Safety			

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? \_\_\_\_\_ IF NO, ADD'L AMOUNT REQUIRED \$ \_\_\_\_\_

AGENCY/PERSON/DATE CONTACTED: \_\_\_\_\_

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST Christine D.F. Quichocho

DATE 7/16/98

DIRECTOR Joseph E. Rivera, Acting

DATE JUL 17 1998

Christine D.F. Quichocho

Joseph E. Rivera, Acting

**FOOTNOTE:** The proposed legislation is an act creating the Municipal Police Division which most definitely will pose a fiscal impact on the general fund. One of the provisions to this legislation is that each village shall have a minimum police station or koban. Also noted in geographically scattered populations, is the requirement of more than one police stations. The 20th and 21st Guam Legislature had appropriated funds for the nineteen (19) villages

to DPW however funds had reverted to the General Fund for certain capital improvement projects. Specific have been made regarding the manpower requirement in each village police station also taking into consideration the population base. Please note, no funds have been appropriated however, the utilization of the Governor's Transfer Authority is stipulated as a fund source. Please be apprised of the following:

### General Fund Appropriation Status

*Fiscal Year 1998 general fund adopted revenues available for appropriation, as adopted in Public Law 24-59 is \$353,292,790 (includes \$7,600,000 Autonomous Agency Fund, \$7,000,000 Use Tax, \$3,200,000 & Custom & Immigration Reimbursement). The current appropriation level against the General Fund up to P.L. 24-205 and continuing appropriations for debt service total \$300,353,559. This leaves a fiscal year budgetary shortfall of (\$37,060,789). Additionally, the prospect of collecting the \$7,600,000 Autonomous Agency Fund and the \$7,000,000 Use Tax is not likely to be realized. As such, the budgetary shortfall may increase by another \$14,000,000 adding to the budgetary shortfall.*

Fiscal Year 1998 Revenues (P.L. 24-59)	\$353,292,790
Less: Appropriation to date	<u>390,353,559</u>
Revenue available for appropriation	<u>(37,060,769)</u>