


EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Substitute Bill No. 550, "AN ACT TO AMEND SECTION 5102 OF THE GOVERNMENT CODE RELATIVE TO ESTABLISHING QUALIFICATIONS FOR THE CHIEF OF POLICE", was on the 12th day of August, 1985, duly and regularly passed.




CARL T. C. GUTIERREZ
Speaker

Attested:



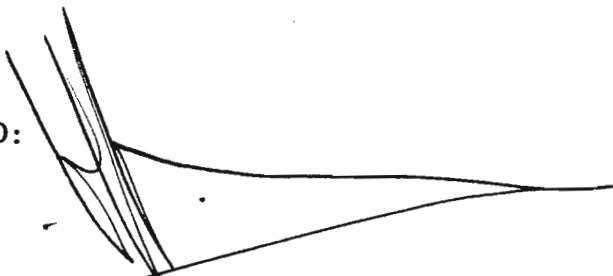
ELIZABETH P. ARRIOLA
Senator and Legislative Secretary

This Act was received by the Governor this 14th day of August, 1985,
at 10:38 o'clock A.m.



Assistant Staff Officer
Governor's Office

APPROVED:



RICARDO J. BORDALLO
Governor of Guam

Date: 8/23/85

Public Law No. 18-13

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 550
Substitute by the Committee on Federal,
Foreign and Legal Affairs

Introduced by: F. R. Santos
T. S. Nelson

AN ACT TO AMEND SECTION 5102 OF THE
GOVERNMENT CODE RELATIVE TO ESTABLISHING
QUALIFICATIONS FOR THE CHIEF OF POLICE.

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

2 Section 1. Section 5102 of the Government Code, as enacted in P.L.
3 17-78, is amended to read:

4 "Section 5102. Guam Police Department. There is within the
5 Executive Branch of the Government of Guam the 'Guam Police
6 Department', the head of which is the Chief of Police of the
7 Department. The Chief of Police of the Guam Police Department is
8 appointed by the Governor with the advice and consent of the
9 Legislature. The Chief of Police shall have the following minimum
10 qualifications:

11 (a) leadership skills relevant to managing and leading a law
12 enforcement department or agency; and

13 (b) no less than ten (10) years of progressive experience in
14 governmental law enforcement positions, including at least five (5)
15 years at the supervisory command level and three (3) years in a
16 senior position with law enforcement management responsibilities; and
17 either

18 (c) a bachelor's degree in Police Science, Criminal Justice
19 Administration or closely related field or discipline at an accredited
20 institution; or

21 (d) graduation from a recognized law enforcement management
22 training institution, such as the FBI National Academy or the
23 Northwestern Traffic Institute."

1 Section 2. A new Section 5102.1 is added to the Government Code to
2 read:

3 "Section 5102.1. Notwithstanding any other provision of law, a
4 person appointed by the Governor to be Chief of Police who is a
5 member of the classified service immediately prior to such appointment
6 as Chief shall be reinstated to the position he held immediately prior to
7 such appointment as Chief upon termination of his employment, if not
8 removed for cause, as Chief of Police."

EIGHTEENTH GUAM LEGISLATURE

ROLL CALL SHEET

Bill No.: 550

DATE: 8-12-85

Resolution No.: _____

QUESTION: _____

<u>SENATOR</u>	<u>AYE</u>	<u>NAY</u>	<u>NOT VOTING</u>	<u>ABSENT</u>
J. F. Ada		✓		
J. P. Aguon	✓			
E. P. Arriola	✓			
J. G. M. Bamba				✓
F. F. Blas +	✓			
H. D. Dierking +		✓		
E. R. Duenas				✓
C. T. C. Gutierrez	✓			
F. J. Gutierrez	✓			
A. C. Lamorena III		✓		
P. C. Lujan		✓		
M. D. A. Manibusan	✓			
XXXXXXXXXX				
T. S. Nelson	✓			
D. Parkinson		✓		
F. J. Quitugua	✓			
J. M Rivera				✓
J. T. San Agustin	✓			
F. R. Santos	✓			
T. V. C. Tanaka	✓			
A. R. Unpingco	✓			

12 5 3



Eighteenth Guam Legislature

P.O. Box CB-1

Agana, Guam U.S.A. 96910

F. R. SANTOS

Chairman, Committee on Federal,
Foreign and Legal Affairs

August 9, 1985

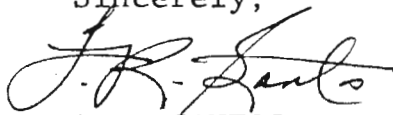
The Honorable
Carl T.C. Gutierrez, Speaker
Eighteenth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Dear Speaker Gutierrez:

The Committee on Federal, Foreign and Legal Affairs
recommends that Bill No. 550, as substituted, be passed
by the following vote:

TO DO PASS	<u>7</u>
TO NOT PASS	<u>1</u>
REPORTING OUT	<u>1</u>

Sincerely,


F.R. SANTOS

Attachments



Eighteenth Guam Legislature

P.O. Box CB-1

Agana, Guam H.S.A. 96910

SENATOR F. R. SANTOS
Chairman, Committee on Federal,
Foreign and Legal Affairs

BILL NO. 550
As Substituted

VOTE SHEET

<u>MEMBER</u>	<u>TO DO PASS</u>	<u>TO NOT PASS</u>	<u>ABSTAIN</u>	<u>COMMENTS</u>
 CHAIRMAN FRANK R. SANTOS	✓			
 SENATOR JOE T. SAN AGUSTIN VICE CHAIRMAN	✓			
 SENATOR JOSEPH F. ADA				For reporting only
 SENATOR JOHN P. AGUON	✓			
 SENATOR ELIZABETH P. ARRIOLA	✓			
 SENATOR MARILYN MANIBUSAN	✓			
 SENATOR TED S. NELSON	✓			
 SENATOR FRANKLIN J. QUITUGUA	✓			
 SENATOR THOMAS V.C. TANAKA		✓		



Eighteenth Guam Legislature

P.O. Box CB-1

Agana, Guam U.S.A. 96910

Committee on Federal,
Foreign and Legal Affairs
Public Hearing, August 5, 1985

F. R. SANTOS
Chairman, Committee on Federal,
Foreign and Legal Affairs

BILL NO. 550

"AN ACT TO AMEND SECTION 5102 OF THE GOVERNMENT
CODE RELATIVE TO ESTABLISHING QUALIFICATIONS FOR
THE CHIEF OF POLICE."

BACKGROUND

The Committee on Federal, Foreign and Legal Affairs conducted a public hearing on Bill No. 550 "An Act to amend Section 5102 of the Government Code relative to establishing qualifications for the Chief of Police". The meeting commenced at 9:00 a.m. August 5, 1985 in the Legislative Conference Room of the Guam Legislature. Present at the hearing were F.R. Santos, Chairman; Joe T. San Agustin, Vice Chairman, Franklin J. Quitugua, member; Thomas Tanaka, member; Elizabeth Arriola, member; Ted Nelson, member; Marilyn Manibusan, member; Joseph Ada, member; Alberto Lamorena III, ex-officio member, and Speaker Carl Gutierrez.

In opposition to the Bill were: Attorney Richard Opper, Attorney General of Guam and Mr. James Miles.

In favor of the concept of the Bill, with additional recommendations were: Mr. Esteban Torres, Director, Department of Administration, John C. Aguon, Department; A.B. Palacios, Captain, Jesse M. Artero; J.A. Torre, Major and Benjamin A. Leon Guerrero, Police Lieutenant, Guam Police Department.

The testimony of Mr. Jack Shimizu was neither in favor nor in opposition to Bill No. 550.

The public hearing was recorded and tapes are available from the Committee upon request.

TESTIMONY

Mr. Jack Shimizu, Acting Director, Department of Corrections

Mr. Shimizu stated he was neither in favor, nor opposed to the Bill. Mr. Shimizu raised the point that it may be difficult to fully evaluate the oral and written skills of

a potential chief. He also said that he was not sure if it would be necessary to have a chief who was a graduate of the FBI, although law enforcement background was important for the position.

Mr. Esteban Torres, Director, Department of Administration

Mr. Torres congratulated the Chairman for the intent of the Bill to upgrade qualifications for the Chief of Police position, but differed in opinion on the restrictions of the qualifications. Mr. Torres said that he felt experience and education could be trade-offs i.e. one or the other. He concluded by recommending that "the parameters for the qualifications for Chief of Police not be locked-in-concrete [but should] be given the widest latitude". (See Attachment 1).

Mr. Richard Opper, Attorney General

Mr. Opper said that the research of his staff had indicated that the establishment of qualifications for the Chief of Police was within the Legislature's prerogative, and that the language appeared to be within the confines of judicial law. However, Mr. Opper stated "the real question behind the bill... is not whether it is legal or not, but whether or not it is wise." The Attorney General expressed concern that the past practice which had allowed persons to work up through the ranks would be eliminated by the Bill. In closing his formal presentation he said that he felt that the Governor needed more flexibility in appointing the head of the Guam Police Department. (See Attachment 2).

The following are portions of written testimony recieved by the Committee on Bill No. 550.

Major John Aguon, Captain A. Palacios, Mr. Jesse Artero, Guam Police Department

We would like to recommend that the following minimum qualifications be established:

- a. Graduation with a Bachelor's Degree or completion of at least 120 semester credits from an accredited university in Police Science, Criminal Justice Administration, or related field, such as Public Administration, Business Administration, Political Science supplemented with Criminal Justice courses, and 10 years progressive experience in police and law enforcement work, including 3 years in senior police/law enforcement management level with at least 5 years at the supervisory command level, and must demonstrate the ability to express oneself clearly and effectively, orally and in writing; or
- b. A combination of technical law enforcement experience and education which would provide the minimum experience, training, and education.

Ten years progressive experience seems to be the national standard. This was confirmed by Chief of Police position announcements in law enforcement journals. "Progressive" experience would ensure that a candidate has had a variety of police/law enforcement experience which is necessary to broaden his/her perspective in Criminal Justice Administration.

"...graduation from the FBI National Academy" may be in conflict with the EEO provisions. This requirement may amount to what EEO officials call "artificial barrier", a barrier whose motive is to exclude certain applicants while at the same time it favors other applicants. We recommend that this provision be substituted by: "graduation from a recognized police/law enforcement management training school, such as the FBI National Academy, Northwestern Traffic Institute, a combination of management seminars and courses, etc."

"Graduation from the FBI National Academy" itself should not be a criteria. Another problem with this provision is that it would qualify any and all FBI agents. (See Attachment 3).

Mr. James G. Miles, Deputy Director, Guam Police Department
(Note that Mr. Miles is Deputy Director of the GPD, and not Acting Chief of Police as is evidenced by the stationary used).

I have reviewed Bill No. 550; although there may be some merit to establishing certain basic qualifications for the Chief of Police, Bill No. 550 goes well beyond such criteria. Therefore, I am opposed to Bill No. 550 as written.

The requirements called for in Bill 550 are far too restrictive. The requirements that a Chief possess a baccalaureate degree in Police Service and be a graduate of the FBI National Academy is somewhat unrealistic. Intelligence should never be confused with education.

The requirements that a Chief of Police have extensive supervision at command level; excellent oral and written communication skills and ability to effectively motivate and provide direction to the department could easily apply to other profession such as the military. However, such experience in other professions is not mentioned in Bill No. 550.

Additionally, I believe Bill No. 550 is premature. Until such time as the Organic Act is changed or the law is amended to provide for a Police Commission, then requiring such overly restrictive qualifications as contained in this Bill will serve to create rather than resolve problems in the appointment process. (Attachment 4).

Mr. J.A. Torres, Major, Guam Police Department

Because of other commitments, I was not able to testify during the hearing of Bill 550, however, I am submitting this written testimony in favor of establishing qualifications of the Chief of Police. It is requested that the following changes and amendments be considered when the Bill is presented for first hearing.

1. Change lines 9 and 10 to read:
"The Chief of Police shall have the following minimum qualifications:"
2. Line 10, remove the phrase "a minimum of" and start the sentence with the word "Twelve (12 years..."
3. Add lines 14 and 15 to read:
"a baccalaureate degree in Police Science and Administration, Criminal Justice or closely related field or discipline at an accredited institution..."
4. Line 16, add the letter "a" after the word "and"; and change the word "graduation" to "graduate".
5. Line 17, add the work "training" to read:
"...experience, training and educations."
(Attachment 5)

Mr. Benjamin A. Leon Guerrero, Police Lieutenant

I support the intent of Bill No. 550 for it addresses the need for the establishment of minimum qualifications for the position of Police Chief which will insure that whoever is appointed to the position at least have the required background and experience to command and direct the management and operations of the Police Department. I however, do not support the present context of Bill No. 550.

Bill 550 in its current form restricts the consideration of individuals who do not possess a baccalaureate degree in Police Science and Administration or Criminal Justice for the position of Police Chief which contradicts the current promotional practice within the Guam Police Department. The Bifurcated plan that governs promotions through the ranks within the Guam Police is totally disregarded which means that an individual who does not have a Baccalaureate degree in the specified fields can progress from Police Officer I to Police Major and spend thirty (30) years in the Police Service, but still would not be eligible to be considered for the position of Police Chief.

I am suggesting that Bill 550 be amended to reflect the following criteria:

1. High school or equivalency with a minimum of twenty (20) years of law enforcement experience ten (10) of which has been with the Guam Police Department, including high level management responsibilities with at least six (6) years at the supervisory command level, excellent oral and written communication skills, and a combination of technical law enforcement experience and education.
2. Associate Degree or equivalence in Police Science and Administration, or Criminal Justice or a closely related field of academic discipline from an accredited institution with a minimum of fifteen (15) years of law enforcement experience, including high level of management responsibilities with at least six (6) years of at the supervisory command level, excellent oral and written communication skills and a combination of technical law enforcement experience and education.
3. Baccalaureate Degree or equivalence in Police Administration or Criminal Justice or closely related field of academic discipline with a minimum of twelve (12) years of experience law enforcement work, including high level management responsibilities with at least six (6) years of the supervisory command level, excellent oral and written communication skills and a combination of technical law enforcement experience and education.
4. Masters Degree or equivalency or higher in Police Administration or Criminal Justice or closely related field of academic discipline with a minimum of ten (10) years' experience of law enforcement work, including high level management responsibilities with at least four (4) years at the supervisory command level, excellent oral and written communication skills and a combination of technical law enforcement experience and education.

A candidate or nominee meeting any of the four (4) criteria must also be clear of any felonious convictions as a basic requirement for consideration.

The proposed amendments also addresses the realistic demographic make up of the men and women of the Guam Police Department. (See Attachment 6).

INTENT

The intent of Bill No. 550 is to define by statute minimum qualifications for the Chief of Police. Public Law 17-78, which established the Chief of Police position within the Guam Police Department, did not make any specific recommendations on the minimum qualifications of the position. Indeed, given the sensitivity and responsibility of the position, it was expected that the appointing authority

would give serious consideration to the qualifications of any nominee based on the national standard of such a position and that specific minimum qualifications would be understood. The Committee recommended that in appointing a Chief of Police the Governor seriously consider candidates' formal education and work experience. However, despite (1) the importance of the position and its responsibility, (2) the suggestions of the Committee, and (3) the number of persons on Guam who could meet nationally recognized standards for the Chief of Police position, the appointing authority failed to recommend for confirmation, persons eminently qualified for the Chief of Police position.

The intent of Bill No. 550 is to establish minimum qualifications for the Chief of Police position in relation to national standards, and for which personnel are locally available.

FINDINGS

The Committee finds that there is a need to establish the minimum qualifications of the Chief of Police position at the Guam Police Department

The Committee recognizes that law enforcement experience is an important asset for a Chief of Police. The Committee notes a recent study by FBI agent/instructor Donald Whitham ("The American Law Enforcement Chief Executive: A Management Profile") which described the typical chief as having "24 years in law enforcement", and which found that 92 percent of all chiefs came from a law enforcement background. Moreover, given (1) the dynamics of Guam's culture, race, economy, and its unlawful by-product and (2) the large number of new recruits within the Guam Police Department, the Committee finds it highly preferable that the chief officer have an extensive law enforcement background.

The Committee recognizes that educational experience in law enforcement is another important asset for a Chief of Police. Although, in the Committee's view, a formal degree may be unnecessary in some cases where a candidate possesses extensive practical experience, it generally is preferable that a Chief of Police have an academic background in law enforcement. The requirement for educational qualifications can only serve to enhance the prestige of the Police Department and promote higher learning among the ranks.

The Committee finds that under normal parliamentary traditions, the responsibility and sensitivity of the position is enhanced by the candidate for confirmation. And that, given the importance of the position, the government is best served by eminently qualified personnel - a fact that need not be legislated. However, the Committee finds that the appointing authority has not recognized fully the importance of (1) law enforcement experience and (2) law

enforcement education to the position of Chief of Police.

To ensure that the position of the Chief of Police of the Guam Police Department is to be filled by a fully qualified individual, the Committee finds that Bill No. 550 as substituted reflects the intent of its members to establish nationally recognized, and locally relevant minimum qualifications for the position of Chief of Police of the Guam Police Department. The Committee notes that the requirements contained in Substitute Bill No. 550 are minimum qualifications for a Chief of Police. Although the Committee believes it necessary that all appointees possess the qualifications contained in the bill, satisfaction of these requirements may not be sufficient to establish that a given candidate is well-suited for the position. Thus, a nominee may meet the bill's requirements and yet the Legislature, after examining an individual candidate's unique attributes, may properly decide that confirmation should be denied. The Committee believes however, that the bill will reduce the likelihood of repeated confirmation denials by providing much-needed guidelines for the Governor's choice of an appointee.

COMMITTEE RECOMMENDATION

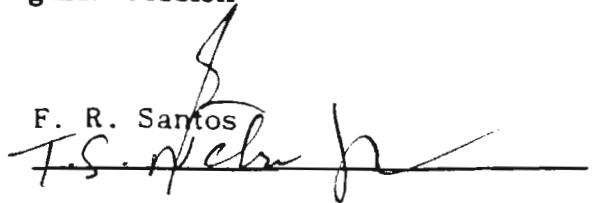
The Committee recommends that Bill No. 550 be passed, as substituted.

JUL 24 '85

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 550 (LS)

Introduced by:

F. R. Santos


AN ACT TO AMEND SECTION 5102 OF THE
GOVERNMENT CODE RELATIVE TO ESTABLISHING
QUALIFICATIONS FOR THE CHIEF OF POLICE.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2 Section 1. Section 5102 of the Government Code, as enacted in P.L.
3 17-78, is amended to read:

4 "Section 5102. Guam Police Department. There is within the
5 Executive Branch of the Government of Guam the 'Guam Police
6 Department', the head of which is the Chief of Police of the
7 Department. The Chief of Police of the Guam Police Department is
8 appointed by the Governor with the advice and consent of the
9 Legislature. The Chief of Police shall have the following
10 qualifications: a minimum of twelve (12) years' experience in law
11 enforcement work, including high level management responsibilities with
12 at least six (6) years at the supervisory command level; excellent oral
13 and written communication skills; ability to effectively motivate and
14 provide direction to the Department; a baccalaureate degree in Police
15 Science and Administration or Criminal Justice at an accredited
16 institution, and graduation from the FBI National Academy or a
17 combination of technical law enforcement experience and education."

AUG 5 1985

Senator Frank Santos
Chairman, Committee on Federal,
Foreign and Legal Affairs
18th Guam Legislature
Post Office Box CB-1
Agana, Guam 96910

RE: Comment on Bill No. 550

Dear Chairman Santos:

The intent of Bill No. 550, an Act to amend Section 5102 of the Government Code relative to establishing qualifications for the Chief of Police", is highly commendable. I congratulate you, Mr. Chairman, in your dedication and determination to upgrade the qualification of the Chief of Police. However, as noble as your intention is, I have to differ with Bill No. 550.

First, establishing qualifications narrows the choice of potential candidates for Chief of Police to a very limited number of people. Why should we restrict the field for appointment by the Governor and the confirmation by the Legislature to only those individuals who qualify within the parameters established by the Bill. In our Territory, we have been blessed with the appointment of competent and respected police officials and Marshals in our courts. If we have had these qualification requirements, we would have been denied the services of these distinguished citizens. Again, some of the qualification requirements are difficult if not impossible, to measure. For example, how do you measure "ability to effectively motivate and provide direction to the department", by a candidate who have not had the opportunity to assume the position.

Finally, the qualification criteria will provide an excellent guideline in selecting a Chief of Police. This guideline should enable the Governor in appointing and the Legislature in confirming to trade-off or compensate one qualification for another without limitations. An individual may have already demonstrated outstanding performance for the position without having met some of these qualifications. I believe that the Director of Federal Bureau of Investigations is not a graduate of the FBI Academy. In addition, we have Admirals in the Navy and Generals in the Army, Air Force and Marines who were not graduates of Naval Academy, West Point or Air Force Academy. But these officers did demonstrate their competency through technical experiences, leadership and management experience and education.

Attachment (1)

Therefore, Mr. Chairman, I recommend that the parameters for the qualifications for Chief of Police should not be locked-in-concrete, but the Governor in appointing and the Legislature in confirming the appointee should be given the widest latitude. That will be the best approach in servicing the interest of the people.

Sincerely yours,


ESTEBAN U. TORRES
Director of Administration

Department of Administration
Government of Guam
Post Office Box 884
Agana, Guam 96910



RICHARD G. OPPER
Attorney General

OFFICE OF THE ATTORNEY GENERAL

Government of Guam
7th Floor, Pacific News Building
238 O'Hara St.
Agana, Guam 96910
Tel.: 472-6841/6844

August 2, 1985

Senator Frank Santos
Chairman, Committee on Federal, Foreign
and Legal Affairs
Eighteenth Guam Legislature
P.O. Box CB-1
Agana, Guam 96910

Re: Testimony in Opposition to Bill No. 550
"An Act to Amend Section 5102 of the
Government Code relative to establishing
qualifications for the Chief of Police."

Dear Chairman Santos,

When I first saw the proposal contained in this bill, I asked my staff to research whether or not it was within the Legislature's prerogative to set such stringent qualifications for positions that are historically thought of as political appointments. From all indications, because the nature of this position is statutory and not constitutional, it is within the Legislature's due authority to change or adopt qualifications even if they historically did not exist. It is important to remember, however, that as long as the Police Department exists as a separate department or agency of the executive branch, its head must be appointed by the Governor by and with the advice and consent of the Legislature. This basic principle cannot be changed by this Legislature because it is mandated by the Organic Act of Guam.

There are, I believe, limitations placed upon the Legislature (and, of course, the Governor) because of this language. Those limitations are quite broad, however, and a clear line between that which the Legislature can and cannot do is impossible to draw. While I believe the Legislature can set qualifications such as those contained in this bill, if such qualifications are so restrictive as to make it impossible for the Governor to make an appointment, or if the qualifications seem clearly designed to make an appointment for the Governor, (by creating a position for which only one person might be qualified) then I think they would be subject to court interpretation as being beyond the authority of the Legislature. That does not appear to be the case with these qualifications.

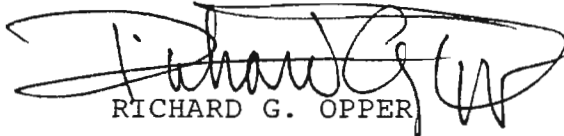
Attachment (2)

Ltr. to Senate Frank Santos
"Opposition to Bill No. 550"
August 2, 1985
Page 2

A much more significant legal problem exists for Bills 327 and 549, both of which refer to a Police Commission choosing the head of the police department. While I believe it is possible to construct a police commission that would not be inorganic, the one envisioned in those bills seems to me to go too far in removing the Governor's basic appointive power as established by the Organic Act. It is also important to remember that Section 6 of the Organic Act requires that the Governor have control and supervision of all executive branch agencies. I plan on appearing for the public hearing with regard to those two measures, however, and we can discuss that particular problem in more detail on that day.

The real question behind the bill that is currently pending before this body, is not whether it is legal or not, but whether or not it is wise. Does the Legislature really feel that the best interests of the people of this territory are served by enactment of a measure which may force the Governor to go off-island and seek qualified candidates from jurisdictions foreign to our own? Many qualified people on Guam were introduced to the criminal justice system and got experience by working as clerks of court or marshals when they would not have qualified for such positions if today's current tough requirements had been set by law. Because of the opportunity to work within the system, they gained valuable experience that now serves the people of this territory well. By creating such restrictive qualifications for this position, the Legislature may find itself in the position of having eliminated most of the residents of our island from the possibility of serving in this post. The Legislature itself must weigh whether or not such an approach best serves the people of this territory. On behalf of the Administration, I can relate to you that we feel it does not best serve our people's needs and that allowing the Governor more flexibility in appointing the head of this department, as has been done since there have been elected Governors of Guam, is a better approach than that which is envisioned in this bill.

Sincerely,



RICHARD G. OPPER

RGO:slc

cc: Governor of Guam

August 1, 1985

Senator F. R. Santos, Chairman
Committee on Federal, Foreign and Legal Affairs
Eighteenth Guam Legislature
Agana, Guam

Dear Senator Santos:

It is commendable that finally we will soon realize the establishment of a qualifications standard for the position of Chief of Police.

We would like to recommend that the following minimum qualifications be established:

- a. Graduation with a Bachelor's Degree or completion of at least 120 semester credits from an accredited university in Police Science, Criminal Justice Administration, or related field, such as Public Administration, Business Administration, Political Science supplemented with Criminal Justice courses, and 10 years progressive experience in police and law enforcement work, including 3 years in senior police/law enforcement management level with at least 5 years at the supervisory command level, and must demonstrate the ability to express oneself clearly and effectively, orally and in writing; or
- b. A combination of technical law enforcement experience and education which would provide the minimum experience, training, and education.

Comments on Bill 650

Ten years progressive experience seems to be the national standard. This was confirmed by Chief of Police position announcements in law enforcement journals. "Progressive" experience would ensure that a candidate has had a variety of police/law enforcement experience which is necessary to broaden his/her perspective in Criminal Justice Administration.

"...graduation from the FBI National Academy" may be in conflict with the EEO provisions. This requirement may amount to what EEO officials call "artificial barrier", a barrier whose motive is to exclude certain applicants while at the same time it favors other applicants. We recommend that this provision be substituted by: "graduation from a recognized police/law enforcement management training school, such as the FBI National Academy, Northwestern Traffic Institute, a combination of management seminars and courses, etc."

"Graduation from the FBI National Academy" itself should not be a criteria. Another problem with this provision is that it would qualify any and all FBI agents.

Sincerely yours,



J. C. AGUON, Major



A. B. PALACIOS, Captain



JESSE M. ARTERO

JUL 24 '85

EIGHTEENTH GUAM LEGISLATURE
1985 (FIRST) Regular Session

Bill No. 550 (LS)

Introduced by:

F. R. Santos

AN ACT TO AMEND SECTION 5102 OF THE
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12 at least six (6) years at the supervisory command level; excellent oral
13 and written communication skills; ability to effectively motivate and
14 provide direction to the Department; a baccalaureate degree in Police
15 Science and Administration or Criminal Justice at an accredited
16 institution, and graduation from the FBI National Academy or a
17 combination of technical law enforcement experience and education."