



**PEACE OFFICER STANDARDS & TRAINING  
COMMISSION  
(P.O.S.T.)**

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**P.O.S.T. COMMISSION MEETING MINUTES  
Thursday, January 31, 2019**

**I. Welcome New Directors to the P.O.S.T. Commission.** POST Executive Director Mr. Dennis Santo Tomas welcomed and congratulated all the new directors within Government of Guam.

**II. Called to Order.** The P.O.S.T. (“POST”) Commission meeting of January 31, 2019, was called to order at 9:10 a.m. by the Executive Director for the POST Commission, Mr. Dennis Santo Tomas, held in the Guam Community College Learning Resource Center (Library) Room 112 in Mangilao, Guam.

**Roll Call by Agency/Department:**

Member-agencies/other agencies: Please refer to the sign-in sheet. Quorum was established. Representatives from GPD, Guam Airport Authority, Attorney General of Guam, Department of Corrections, Judiciary of Guam-Marshals, Guam Fire Department, Judiciary of Guam-Probation, Department of Youth Affairs, GDOE School Resource Officers.

**Documents Received.** Document(s)/Packet: January 31, 2019 Agenda; August 30, 2019 POST Minutes; P.O.S.T. Verification Training Verification Request form.

At this time, the Exec.Dir. thanked GPD Chief Stephen Ignacio for training that is currently being hosted on campus in collaboration with Guam Community College.

-Chief Ignacio explained that the training is for a Field Training Officer Course to be conducted on campus by the National Association of Field Training Officers (NAFTO).

-Chief Ignacio further explained that NAFTO is a national organization that trains field law enforcement officers to include government and civilian personnel.

-The turnout has been successful with Government of Guam, civilian and military police personnel attending.

-The courses are training from a Basic Field Training Officer, an Advanced Field Training Officer, and for managers, Managing the Field Training Officer Unit.

Fire Marshal Chief Joey Manibusan was also asked to explain the ethics training by the International Public Safety Leadership and Ethics Institute (IPSLEI), “Challenges to Ethical Leadership in a Dynamic World” recently held on campus in September 2018.

-The instructor provided a free training which was valued at \$300 per person.

-IPSLEI is recognized by the P.O.S.T. Commission in Arizona, LAPD and other P.O.S.T. Commissions within the western states.

-This program has a different versions, police academy, supervisor and executive.

- One of the goals was to have an introductory course for the Guam P.O.S.T. Commission, however, it was a good turnout.
- Anticipate another training with federal funding in collaboration with Homeland Security.
- Need to follow up on certificates.

### **III. Review and Approval of Minutes of August 30, 2018.**

#### **MOTION**

**M/S/C: (DOC/ARFF): Motion was made to approve the Guam P.O.S.T. commission Meeting Minutes of August 30, 2018, with corrections. Unanimously approved, motion adopted.**

**IV. Chairman Remarks.** The Vice Chairman was unavailable due to an emergency with Customs & Quarantine. The Executive Director Dennis Santo Tomas reported that Bill No. 365-34 (COR) was passed unanimously by the 34<sup>th</sup> Guam Legislature as Public Law No. 34-136, “An Act To Add A New § 3116 To Chapter 3 Of Title 27, Guam Administrative Rules And Regulations, Relative To The Adoption Of The Peace Officer Standards And Training (Post) Commission’s Physical Fitness Qualifications Test (PFQT) Standards.”

- The Executive Director and Lt. Torre thanked the members for each agency’s efforts in submitting their packet with regards to the new public law.
- He mentioned that initially the public thought this was used to kick people out but said this should be regarded as a tool to manage for a better working force within the agencies.
- For a healthier force and educating employees about the importance of nutrition as a different way of life.

Lt. Torre provided an overview regarding the newly enacted public law.

- On January 4, 2019, a Legislative Resolution was presented to the Guam POST Commission for everyone’s hard work and contribution in putting together each agency’s respective packages.
- Lt. Torre also thanked everyone who put together their respective packages and for each agency’s representatives who were assigned to work with the R&D Subcommittee who put in the time and effort to make a difference through this public law.
- He mentioned he knows there are still some questions with the validity of any disciplinary actions that may have taken during the last year.
- However, he will be putting something together for Chief Ignacio’s review and then submit it to the Commission for review because there is some clarity that needs to be defined in terms of when the disciplinary action is effective.

There were some questions with disciplinary actions when referring to Public Law 34-49, “An Act To Add New §§ 3103(b)(4) And 3115, And Amend § 3105, All Of Chapter 3, Title 27, Guam Administrative Rules And Regulations, Relative To The Inclusion Of The Aircraft Rescue And Firefighting Unit Under Category 2 Peace Officers; And The Modification Or Adoption Of The Peace Officer Standards And Training (POST) Commission’s Physical Fitness Qualification Test (PFQT),” which is Bill No. 165-34 (LS).

- There were some clarity that would still have to be made in PL 34-49 with Section 3105 (f) under “failure.” When you read this section, it states that you really cannot do anything until the adoption of the program. That what was done in the past during 2017-2018 can make the disciplinary action null and void but some clarity would still need to be made.

- However, another issue is with the last page on PL 34-49, “The POST Commission shall be in full compliance with the reverted or adopted standards by January 2020.” This further states that we should not take action until January 2020.
- Lt. Torre will prepare a document to raise these issues and maybe adopt the suggestions/recommendations the Commission makes and in effect any policies or disciplinary actions won’t start until January 2020 and this is when the administering of the respective PFQTs will be in effect.
- The PFQT should be done before December 2019.
- Would also need clarification as to when to be in compliant with the PFQT.
- PL 34-49 was the guide for the 2.1 testing
- Will provide an interpretation of the PFQT and will bring this before the Commission as to what the law states.

With the new law, PL 34-136, there was a video about a Guam Legislative session mentioning that no one will be given any disciplinary action.

- However, Lt. Torre explained that the new law that adopted our policies simply states that it adopts the policies in which you submitted.
- That if you adopt a policy with language from PL 34-49, it guides in terms of disciplinary action, retesting, and what constitutes a failure. If this is in your policy then that is what is adopted.
- Because the Legislature voted unanimously, that whatever you submitted in July 2018 that is what your agency will work with. There was no change.
- It simply states it was adopted as is and have to work with what you submitted.
- There were concerns by the Legislature with these disciplinary measures but were informed that is what was adopted.
- As far as autonomy for the POST Commission this is still a goal, which was expressed during the public hearing.

There was a question regarding the subcommittee. The subcommittee has not been officially dissolved, however, it can be activated when necessary such as when the Commission has new initiatives to pursue which requires research and development.

- In the meantime, the R&D subcommittee will be putting together something to be presented to the Commission regarding the new Public Law No. 34-136.

**V. Executive Director’s Comments.** Executive Director Dennis Santo Tomas informed the Commission that he will be retiring. Today is his last day but anticipates someone will be hired that is familiar with the POST Commission for continuity purposes.

- The Exec. Dir. further informed the Commission that Guam Community College is the State Agency for the Guam P.O.S.T. Commission.
- GCC President Dr. Mary Okada will continue to be supportive of the Commission in extending a venue for meetings, trainings and continued collaboration such as the apprenticeship programs and academies.
- The Exec. Dir. asked for each agency to continue to work with Dr. Okada.
- There is no replacement for the Exec. Dir. at this time but will check with Bob Camacho if he is willing to assist.
- The Exec. Dir. also recommended to schedule meetings quarterly which is still in compliant with the requirement to meet as a Commission.
- To contact the Administrative Secretary who is the administrative support for the POST Commission at the GCC President’s Office.

A **P.O.S.T. Training Verification Request form** was provided to the Commission, which was developed by the office of the GCC Registrar as a way to facilitate the process of reviewing an individual's records for P.O.S.T certification.

**VI. Welcoming the new Public Safety Committee Chairperson.** The Executive Director introduced the Senator Jose "Pedo" Terlaje as the new Public Safety Committee Chairperson. The Senator mentioned he has discussed plans with GPD Chief Stephen Ignacio regarding having more police officers at least an additional one hundred (100).

-The plan is expanding a training program and having funding for this.

-Combining a BALEA and police training to include the courses for POST Certification and be given a five (5) point preference.

-That there are a lot of controversies with regards to promotions within the Guam Police Department and want to ensure promotions given are fair, especially for those who have extended years of service plus an individual's educational credentials.

-Will be having further discussions with the GPD Chief.

The Senator then asked what other issues are of concern to the Commission. Input was provided, as follows:

The Exec.Dir. asked for Senator Terlaje's assistance with the Guam Department of Administration's (DOA) processing of law enforcement applications, what needs to be done to move the process to get a list of qualified applicants ready to start an academy from DOA.

-Agencies are sometimes waiting for months for this list while they are in dire need of manpower.

-Another issue of concern the Exec. Dir. wanted the Senator to be informed of is the military buildup. The capacity building for law enforcement needs to be brought up during military buildup discussions.

Fire Marshal Joey Manibusan informed the Senator and the Commission of some very important information and said he was happy all are looking out for the health and welfare of Guam's law enforcement officers and firefighters.

-Fire Marshal Manibusan mentioned that a national study was conducted in 2017 but was not being disclosed.

-There were ninety-three (93) line of duty deaths for firefighters and one hundred twenty-nine (129) line of duty deaths for police officers in the U.S.

-What is alarming is a separate number of suicides with one hundred twenty-three (123) firefighters and one hundred forty (140) police officers, which are higher than the line of duty deaths.

-Depression and mental health are the top issues of public safety and the National Fire Protection Association created a new standard to deal with this.

-Fire Marshal Manibusan just wanted everyone to be aware of these numbers.

-The Senator mentioned that he recently found out from an international study that the life span of public servants within the fire and police department is shorter due to the frustration and danger that these individuals encounter.

-The Senator mentioned he is in the process of introducing a bill in the Guam Legislature to support firefighters and those in law enforcement with twenty-five (25) years of service who can retire with eighty-five (85%) to one hundred percent (100%) retirement benefits.

-Has to first get the funding for recruiting the one hundred (100) police officers, otherwise there will be an influx of retirees.

GPD Lt. Mark Torre brought up an issue the POST Commission has been struggling with is whenever it proposes a change in the way the POST Commission handles things within the POST Commission with its peace officer categories.

- The Commission would have to go through the Guam Legislature to make those changes.
- The Commission has requested the 34th Guam Legislature for the Guam POST Commission to be granted autonomy to the Commission to govern it as the Commission deems fit.
- The Executive Director explained that every time a new policy or change with a POST Commission is being considered, it would first have to obtain the Guam Legislature's approval.
- The Senator asked that all issues should be brought before Senator Terlaje.
- There were further discussions that this has to go through the Guam Legislature quickly because this sometimes causes a delay whenever revisions to the policy has to be made.
- Giving the POST Commission the authority to govern itself, will allow issues to be addressed timely within the POST Commission.
- The Commission can then move forward with its agendas and not to wait until the Guam Legislature is in session for approval.
- The Senator again asked that with this request, present a proposal to him.
- There were further discussions that the Senator will be given an outline of what is needed to propose this bill.
- A meeting is scheduled on March 5, 2019, at 2:00 p.m., with the Senator at his office to include all Guam POST Commission members and directors from each law enforcement agency to further discuss this issue.

**VII. Old Business.** *None mentioned at this time.*

**VIII. New Business.**

**Election of New Officers.** Chief Stephen Ignacio was nominated as the new Chairman for the Guam P.O.S.T. Commission and DOC Deputy Director Joey Terlaje as the Vice Chairman.

#### **MOTION**

**M/S/C: (ARFF/DOC): Motion was made to approve the Guam Police Department Chief Stephen Ignacio as the newly elected Chairman for the Guam Peace Officer Standards and Training (P.O.S.T.) Commission. Unanimously approved, motion adopted.**

#### **MOTION**

**M/S/C: (DOC/GFD): Motion was made to approve the Department of Corrections Deputy Director Joey Terlaje as the newly elected Vice Chairman for the Guam Peace Officer Standards and Training (P.O.S.T.) Commission. Unanimously approved, motion adopted.**

At this time there were some questions.

There was a question by DOC for clarification purposes and guidance.

- Some of the DOC officers are in the Police Reserve and there are two PFQT these officers will be participating in.
- Does taking one PFQT supersede the other?
- Lt. Torre responded that although the training are similar, the GPD POPAT has additional events and will suffice for DOC, although DOC has agency specific requirements.

Another question raised was the POST certification for the English/Reading & Writing and Math requirement.

-The Exec. Dir. informed the Commission individuals can check with the GCC Admissions to process for the placement tests for these two areas.

-There were further discussions that there might be issues with the process of the placement tests being lengthy for the English and Math requirements.

-That there must be another way to meet these requirements otherwise agencies will lose prospective recruits.

-Something to look into maybe to be tutored before the placement tests and that tutoring is also offered at GCC.

There was discussion that prospective recruits applying at Guam DOA are being turned away because the English/Reading & Writing requirement is not met.

-That because this requirement is part of the public law individuals has to be in compliant by making this part of the academy and not a requirement without lowering the standards.

-A suggestion was made that this can be accomplished within the probationary period would have to work on this requirement because applications state this as a pre-employment requirement.

The English/Reading & Writing requirement for this issue has to be brought up with Senator Terlaje.

A GDOE representative informed the Commission of the name change for SROs and a suggestion was made that this should be reflected in the public law which also should be included in discussions with Senator Terlaje.

**VIII. Next Meeting Scheduled.** Suggestion was made for February 21, 2019.

**IX. Adjournment.**

**MOTION**

**M/S/C: (ARFF/Department of Corrections): A motion was made to adjourn the meeting of January 31, 2019. Unanimously approved.**

There being no further discussions, the meeting adjourned at approximately 10:20 a.m.

/s/

Dated this 28<sup>th</sup> day of February 2019.

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Bertha M. Guerrero  
Recording Secretary