



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

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**P.O.S.T. COMMISSION MEETING MINUTES
Thursday, October 26, 2017**

I. Called to Order. The P.O.S.T. (“POST”) Commission meeting of October 26, 2017 was called to order at 9:11 a.m. by Chief Vincent Perez, Vice-Chairman, 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.

Documents Received. Document(s)/Packet: 10/26/17 Agenda; Minutes of September 28, 2017; from the Executive Director copies of “Leading Law Enforcement Organizations Release Companion Document to National Consensus Policy on Use of Force” and “National Consensus Policy and Discussion Paper on the Use of Force” and a copy of Public Law No. 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);” and document from Dr. Richard Fee regarding course for approval by the POST Commission.

II. Review and Approval of Minutes from September 28, 2017. At this time the following motion was made.

MOTION

M/S/C (Port Authority/Guam Police Department): Motion was made to approve the POST Commission Meeting Minutes of September 28, 2017, with corrections. Unanimously approved, motion adopted.

III. Chairman Remarks. Guam Police Department Major Chong was in attendance representing GPD Chief J.I. Cruz and informed the members that Chief Cruz is currently off-island attending the National Association of Chiefs conference and further reported, as follows:

- a. Bill 34-156 was signed into law October 13, 2017, and is now Public Law No. 34-49.
- b. Major Chong informed POST members of Chief J.I. Cruz’s reminder about the Research and Development for agency specific PFQT standards and its due date of July 1, 2018 and that the standards require the following:
 1. Physical Fitness Program
 2. Health and Nutrition Program
 3. Physical Fitness Qualification Test

- c. Another reminder was that four agencies will adopt the Version 2.1 standards, which are the AG's, Customs & Quarantine, Dept. of Corrections and Department of Parks & Recreation.
 - Major Chong then asked if any other agencies were going to adopt the Version 2.1 standards.
 - Port Authority of Guam and DOE confirmed they will also adopt the Version 2.1 standards.
 - As a reminder, Major Chong informed these agencies that there is still the Health and Nutrition Plan and the Policy creation that needs to be accomplished by July 1, 2018.
- d. As a further reminder, should the POST Commission not meet the deadline of July 1, 2018 with the submission of an agreed standards to the Legislature by December 31, 2018, the POST Commission PFQT will revert back to the Air Force Instruction standards.
- e. Another reminder was Professional Development standards would need to be created for each agency for upward mobility, which are the following:
 - 1. Succession Planning
 - 2. Professional Development
 - 3. Standardized and Agency specific.
 - Sgt. Major R.B.D. Aguon is heading this for the Guam Police Department and is working with Mike Schnipp from DOA regarding certain trainings that can be given to police officers for upward mobility. That each agency need to come up with its succession planning and upward mobility for individuals to move up the rank.
- f. P.O.S.T. Certification
 - 1. A reminder from Chief J.I. Cruz is for everyone that is covered under Public Law No. 32-232, they would need to get POST Certification.
 - 2. Agencies need to come up with their agency specific standards.
 - 3. Major Chong informed members that Chief J.I. Cruz is requesting for each agency to provide him a draft copy of their agency specific standards by the next POST Commission meeting, which is in November 2017.

At this time with regards to POST Certification, GPD Lt. Troy Lizama provided a presentation with what GPD is doing as far as getting its officers POST certified. Lt. Lizama explained that he, Lt. Jason Aguon and Lt. Kevin Guerrero were tasked by Chief J.I. Cruz to do this.

- That per Public Law. 32-232, GPD was identified as Category I Peace Officers.
- Met with the POST Commission Executive Director and confirmed there was a "grandfather clause," that is an avenue to get POST certified.
- There are remaining requirements that are set forth in P.L. 32-232 and would have to work with training and staff and other agencies that can assist such as with Dr. Richard Fee for cultural sensitivity.
- The Executive Director requires transcripts and application for his review.
- Currently working with GCC to obtain transcripts online but need a user name.
- GCC will provide user names for retired and active GPD employees.
- Once officers obtain their user name, they will be able to download and print a copy.
- The Executive Director explained that unofficial transcripts are accepted.
- Major Chong informed members they can contact him should they have any questions or need assistance.
- Instructed all the staff to print the applications and pass it to other personnel. Once they complete this and attach their transcript, it is submitted to Chief J.I. Cruz who will submit it to the Executive Director.

IV. Executive Director's Comments. The Executive Director provided a copy of Public Law No. 34-49. He mentioned as Major Chong explained and under Subsection 3115, this has the due date of July 1, 2018, for completion of agency specific fitness plans.

- a. A copy of the National Consensus Policy and Discussion Paper on the use of force was also provided to the members from the Association of P.O.S.T. Directors.

- Suggested for each agency to review and maybe incorporate some of these ideas.
- Reiterated what Major Chong explained earlier that professional development standards are important for every department.
- Need to provide the framework for each agency's officers and how they progress throughout their career.
- That it is important for every agency to review each officer's records and determine whether they are POST certified and find out what other requirements are needed to be in compliant with the POST statute.

V. Chief of Staff Pete Mesa

- a. Guidance from the Office of Senator Telena Nelson. Mr. Mesa was in attendance and informed the Commission members of three (3) issues:
 1. Just received the number of law enforcement personnel from the Aircraft Rescue and Firefighting Unit and from the Department of Youth Affairs so that they can be included as voting members of the Guam P.O.S.T. Commission. Senator Nelson's office will then introduce a bill to this effect.
 2. There is a bill authored by Senator Will Castro regarding the use of drones near certain government facilities. A public hearing is scheduled on November 1, 2017, 2:00 p.m.-5:00 p.m., and mentioned several agencies have been meeting with Senator Castro regarding this during roundtable discussions. Mr. Mesa also mentioned input from POST members is highly recommended.
 3. As previously mentioned by Senator Nelson during short discussions is the issue of a unified internal affairs. A staff member is currently researching this and a roundtable discussion is scheduled for November 8, 2017, 3:00 p.m.-5:00 p.m., at the Guam Congress Building. Requesting input from each agency before a bill is introduced especially with agencies who have personnel who are familiarize with internal affairs.

There were discussions:

- Lt. Torre mentioned that it was recently brought to his attention that Investigators from the Office of the Public Defender should also be included in Public Law 34-49 as Category I and Category II Peace Officers.
- Lt. Torre further mentioned that this might have been an oversight and will conduct further research, otherwise this is his recommendation.
- Mr. Mesa mentioned he will look into this regarding the Public Defender's Office, including whether they are part of the Judiciary of Guam.

At this time Lt. Torre provided an update of the Research & Development Subcommittee which was established July 2017.

- To date, there has been three (3) working sessions on Oct. 5, 12, and 19, 2017.
- The subcommittee has made significant progress since then and has defined its purpose, which is to identify, develop and establish agency specific PFQT standards by July 1, 2018; one that is acceptable to the Guam P.O.S.T. Commission and ultimately to the 34th Guam Legislature.
- Established were a Vice Chair in the absence of a Chair, which is Battalion Fire Chief Soriano; and a Secretary from CQA, Charles McDonald and Michelle Quichocho.
- Determined will be meeting every first and third Thursday every month.
- During first meeting reviewed and discussed then Bill 165-34, the interim physical fitness standards with emphasis on the three (3) minimum requirements, which are policy development; the health and nutrition component; and the PFQT, whether it would be fitness type tests or functional tests.

-Further discussions during this first meeting was regarding what the Executive Director provided, which was a Police Officer's Physical Abilities Test (POPAT), which is more of a functional fitness test for law enforcement.

-Also discussed were documents that pertain to Bill 165-34, the Government of Guam Worksite Wellness Program, and the 2008 Physical Activity Guidelines for Americans.

-The reason these documents were utilized is because they contained information that may be used to support our particular selection of tests events for each respective agency's PFQT.

-Lt. Torre requested for each agency to submit their existing or draft policies with respect to the PFQT at the next POST Commission meeting.

-GFD, CQA, Judiciary of Guam, DOE, and GPD have submitted their proposed policies.

-These policies were shared with the Department of Agriculture Law Enforcement Division, Department of Parks & Recreation, Port Authority of Guam, Guam International Airport Authority Police, Judiciary of Guam Marshals and Probation offices, Guam Fire Department, DOE, and GIAA Aircraft Rescue & Firefighting Unit.

-Discussed the possible inclusion of the Guam Department of Public Health & Social Services so that they can provide agencies with the health and nutrition component with health screening and establish nutritional guidelines to member agencies who want to improve their PFQT. Plan to make this component the same for all.

-The discussion with PH&SS is currently in the works with Battalion Chief Roderick Meno from GFD for a meeting.

-Agencies who are interested in adopting the Appendix A, Version 2.1 PFQT with modifications are the AG, Customs & Quarantine, Dept. of Corrections, Department of Parks & Recreation, and Port Authority.

-Discussed the consideration of a non-gender specific PFQT programs due to job requirements being the same. There is no distinction as to which gender can answer a call. Will really need to look into this.

-As an alternative to the health and wellness component in the event DPH&SS does not decide to collaborate, considering adopting an online source for individual members to easily access.

-There is a small group to take care of this component led by Roy Hanes. A draft will be presented at the next subcommittee working session in November 2017.

-Chief Perez asked whether this draft can be adopted by each agency, which covers the Health & Nutrition Program requirement.

-Lt. Torre confirmed this will cover the minimum requirement of this component.

-Working on establishing timelines to meet initial drafts of agency policies.

-This includes working on establishing timelines for the diagnostics of respective PFQTs.

-Data from this diagnostic will be collected for POST Commission review as well as a courtesy copy to the Guam Legislature.

Chief Perez asked whether assessments will be conducted in November 2017.

-Lt. Torre explained that agencies can do this and if there are enough collected to show whether the program is working or not.

-Should data show the program is working then will work towards finalizing this as a PFQT standard.

-The POST Commission will be given ample time to review these data before the July 2018 deadline.

VI. Old Business

a. Dr. Richard Fee, Judicial Education Center - Law Enforcement & Persons with Disabilities.

It was explained that this training would have to be POST certified, which has been approved by DISID through Mr. Ben Servino, which was previously presented at the last POST Commission meeting.

-As also explained during the last meeting this could be offered to all the agencies with the POST Commission who are involved in education and as a “train the trainers.”

-Dr. Fee mentioned he will provide materials that are needed for this.

-Certificates can be issued indicating hours completed.

MOTION

M/S/C (Airport Police/Attorney General’s Office): A motion was made for the Guam P.O.S.T. Commission to approve the Cultural Sensitivity and Awareness Training and the Justice System Law Enforcement Persons with Disabilities Courses. Unanimously approved.

At this time Chief Perez explained that Ms. Sabrina Salas Mantanane from KUAM will make a presentation regarding a program being offered to the law enforcement community.

Ms. Mantanane is a Managing Director for the KUAM News Productions and was accompanied by Ms. Betty Ann Guerrero, Assistant Sales Manager for KUAM. Ms. Mantanane explained they are partnering with Custom Fitness with the idea of offering to have 18 officers separated into 3 groups of 6 and assigned with a Custom Fitness coach to help with a nutrition program and also get fit. Will also provide a doctor to monitor this process. The POST Commission can decide which officers will participate. Officers will be interviewed and during this process will be “on camera.” Can begin shooting in January 2018 and share their story.

DOC mentioned they don’t have a problem with this, however, DOC asked if the AG could check if there might be a procurement issue with this. That there could be similar organizations who might ask to give a similar proposal. Wants to ensure there is no procurement violation and wants to avoid this. Mr. Tony Blas from the AG confirmed he will look into this. Ms. Mantanane understands this and did not proceed further with her presentation.

Mr. Blas will find out and report at the next POST Commission if there is no procurement violation with this presentation and if KUAM can proceed with this presentation.

VII. Next Meeting Scheduled. November 30, 2017 at 9:00 a.m., in the LRC Room 112.

VIII. Adjournment.

MOTION

M/S/C (Airport Police/Attorney General’s Office): A motion was made to adjourn the meeting of October 26, 2017. Unanimously approved.

There being no further discussions, the meeting adjourned at approximately 10:09 a.m.

/s/

Dated this 30th day of November 2017.

Bertha M. Guerrero
Recording Secretary