



**GUAM PEACE OFFICER STANDARDS
& TRAINING COMMISSION (POST)**
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**P.O.S.T. COMMISSION MEETING MINUTES
Thursday, June 10, 2021**

I. Called to Order. The P.O.S.T. (“POST”) Commission meeting of June 10, 2021, meeting was called to order at 9:35 a.m. by the Guam Police Department Chief Stephen Ignacio, the POST Commission Chairman, assisted by the POST Executive Director, Department of Corrections Deputy Director, Mr. Robert Camacho.

Roll Call by Agency/Department:

Member-agencies/other agencies: Please refer to the sign-in sheet. Quorum was established. Representatives from the Guam Police Department, Guam Airport Police, Guam Attorney General’s Office, Guam Customs & Quarantine Agency, Department of Corrections, Unified Courts of Guam (Judiciary) Marshals, Guam Fire Department, Department of Youth Affairs, GIAA Aircraft Rescue Fire Fighting (ARFF).

Others in attendance: Senator “Pedro” Terlaje, Mr. Chris Carilo from Senator P. Terlaje’s Office, Dr. Richard Fee, Mr. Nick Delgado from the *Guam Daily Post*; and Mr. Joe Taitano from *PDN*.

Documents Received. Document(s)/Packet: June 10, 2021 Agenda; May 27, 2021, P.O.S.T. Minutes; Guam P.O.S.T. Commission Resolution No. POST01-2021, “Establishment of a New Job Position for the Executive Director for the Guam Peace Officer Standards and Training (POST) Commission,” with the Attachment.

II. Review and Approval of the Minutes of May 27, 2021.

MOTION

M/S/C: (Customs/ARFF): Motion was made to approve the Guam P.O.S.T. Commission Meeting Minutes of May 27, 2021, with corrections. Unanimously approved, motion adopted.

III. Chairman/Vice Chairman Remarks. The Chairman mentioned he will have the recording secretary check the budget for supplies and provide all members with the POST enabling law and other related matters concerning the POST Commission including from GAR. When budget is also available, nameplates will also be procured for all POST Commission agency members for meetings.

IV. Interim Executive Director Remarks. *None at this time.*

V. Old Business.

a. Resolution re Guam P.O.S.T. Executive Director. During the May 27, 2021 POST meeting, the Commission was provided with a copy of a Resolution for a full time/unclassified Guam P.O.S.T. Executive Director. The Chairman then asked members to provide input during today's meeting and anticipate adopting the final version. The Commission was presented with the formatted version as the Guam P.O.S.T. Commission Resolution No. POST01-2021, "Establishment of a New Job Position for the Executive Director for the Guam Peace Officer Standards & Training (POST) Commission," including a copy of the Executive Director position description.

-The Chairman, Chief Ignacio explained this position description would be used as the basis for the job announcement for the Guam P.O.S.T. Commission Executive Director position.

-The Commission members were provided an opportunity to review the initial and formatted drafts.

There were discussions, as follows:

-There was a question that under Title 17 of the Guam Code Annotated under Chapter 51, GCC is designated as the State Agency for POST, and would legislation need to be amended to go through this process and would this be a DOA application process.

-The Chairman explained it is a POST Commission application process, which allows the Commission to do so.

-The Chairman then referred to Title 17 of the Guam Code Annotated under Chapter 51, "Section 51103. Executive Director; Appointment; Powers and Duties.

(a) The Executive Director of the Commission shall be appointed by and serve at the pleasure of the Commission.

(1) The Executive Director shall be the chief executive officer of the Commission.

(2) The Commission shall establish the minimum qualifications for the Executive Director."

-The Chairman further explained that under Section 51103(b), explains the duties of the Executive Director:

"(b) With the approval of the Commission, the Executive Director shall:

(1) certify Peace Officer Training programs or institutions;

(2) certify peace officers who have satisfactorily completed training;

(3) consult and cooperate with peace officer training academies in the development of basic and continuing education training programs for peace officers;

(4) consult and cooperate with the Guam Community College, the University of Guam, other institutions of higher education, or any POST certified advanced training programs for the development of specialized courses of study on Guam for peace officers in the areas of police science, police administration, the social sciences and other related areas;

(5) consult and cooperate with other departments and agencies concerned with peace officer training;

(6) report to the Commission at regular meetings of the Commission and at other times as required to recommend denial, suspension, or revocation of certification of a peace officer to the Commission as deemed necessary; and

(7) shall, in cooperation with the State Agency, maintain custody of all records of the Commission."

There were discussions as to the process of how to hire the POST Executive Director. The Chairman mentioned that this is something new for the Commission and anticipate to determine and finalize what the process will be at today's meeting.

-Would have to issue a press release, advertise in the newspapers and posting on the POST Commission webpage.

-The Chairman recommended to also post this on the GPD website with the job description.

-Asked applicants to submit their application with the Guam POST Commission office through the recording secretary to allow at least two (2) weeks for application submissions.

-The Commission can then meet to discuss/review the applications.

-Might have to go into an Executive Session to discuss further and bring it before the Commission to vote.

-There was a question whether this would go to the Governor's office and the Guam Legislature.

-A recommendation was made that a decision should be made by the Commission and then inform the Governor as to the Commission's recommendation.

The Executive Director explained that the application process began with an advertisement and applications were submitted to the Guam Community College (GCC), a selection was made based on qualifications and then the Commission was informed of the selection.

-The former POST Executive Director was Mr. Dennis Santo Tomas.

-The process of hiring was through GCC because of the funding given through GCC.

-That there might be another funding source for this position other than through GCC.

There was a question as to whether the Commission will make the final decision as to who to hire.

-The Chairman explained that the Commission will review the applications and make a decision and then have it acknowledged by the Governor's Office. That the Commission has the authority to hire the Executive Director per the public law.

MOTION

M/S/C: (DOC/ARFF): Motion was made to change the third paragraph in Resolution No. POST01-2021 by deleting "appointed by the Governor" and revised as follows: "WHEREAS, the position is in the unclassified service of the Executive Branch of the Government of Guam. The Executive Director is appointed by the POST Commission and acknowledged by the Governor of Guam." Unanimously approved, motion adopted.

Discussions were made regarding the "**Attachment to Guam P.O.S.T. Commission Resolution No. POST01-2021: Executive Director (Unclassified), for the Guam Peace Officer Standards and Training (POST) Commission.**"

-Each member was provided an opportunity to provide input.

-The members reviewed the Attachment, provided recommendations under the "Illustrative Examples of Work."

-There were further discussions regarding the "Minimum Experience and Training." The recommendations included certain studies.

- Revisions were made to both bullet points to also include studies in Criminal Justice; Personnel, Public or Business Administration; Social Science; or closely related field; to include a background in law enforcement; and five years management experience for both.
- The order of the paragraphs for the Bachelor's and Master's degree were switched.
- There were concerns about not lowering standards and also that experience should be considered and that it is important to select the best candidate.

The following motion was then made with recommendations herein, as follows:

MOTION

M/S/C: (CUSTOMS/ARFF): Motion was made to adopt the following recommendations:

1. Revisions were made “Under Illustrative Examples of Work” herein:

- The 8th bullet point should read: “Plans, organizes, directs, administers, and coordinate the overall activities of the Offices of the POST Commission.”
- The 10th bullet point should read: “Consults and advises government agencies on personnel matters as they pertain to the POST programs and activities.”
- The 16th bullet point should read: “Solicits legal opinions on personnel rules, statutes on policies, procedures and other related matters.”
- The 18th bullet point should read: “Coordinates and participates in investigations of employment conditions in the Government of Guam and post audits of personnel actions.”

2. Revisions were made under “Minimum Experience and Training” to include the order of the paragraphs for the Bachelor’s and Master’s degree were switched, herein:

The 1st bullet point: “A Master’s degree in Criminal Justice, Personnel, Public or Business Administration, Social Science, or closely related field; or the equivalent from a U.S. accredited institution with five (5) years management experience with a preference in law enforcement background, or”

The 2nd bullet point: “ A Bachelor’s degree in Criminal Justice, Personnel, Public or Business Administration, Social Science, or closely related field; or the equivalent from a U.S. accredited institution with five (5) years management experience with a preference in law enforcement background.”

Unanimously approved, motion adopted.

b. POST Decertification. As previously mentioned during the last meeting, this matter is very important.

ARFF has a concern with current employees within its agency that might fall under this, such as medical profilers, and those who quit the department and returned before four years.

- That this is causing problems within their agency.

The Chairman mentioned that several agencies are going through the same issue of medical profilers.

- That he has not seen anything in the GAR/public law as to the process of decertification.
- Does not believe the POST Commission had decertified anyone.
- That an appeals process with the POST Commission should also be discussed.

The Executive Director mentioned the following:

- If an agency wanted an employee to be decertified, the agency would have to request this to the POST Commission.
- The agency would also have to establish the reason for a decertification request.
- The agency would have to go through an Adverse Action first with the Civil Service Commission then submit its request.
- That the Airport has done this.
- The employee can contest the decertification but the employee would still have to deal with the Civil Service Commission appeal process, suspension is sometimes recommended.
- This did not reach the POST Commission yet because it was resolved at the Civil Service Commission level.
- In the meantime, ARFF will continue with the Airport's Policy on how to handle employees who are unable to perform their job duties.
- The Executive Director offered assistance to ARFF, should ARFF need it.
- The Executive Director also mentioned that discussions will become lengthy.
- This matter was then tabled for the next meeting.

VI. New Business

a. POST Chair/Vice-Chair Election. The Chairman explained that per the public law the Chair and Vice Chairman's term is two (2) years. Each agency was provided an opportunity to volunteer. Nominations were made for Customs & Quarantine Chief Vincent Perez as the Chairman and ARFF Chief Raymond Mantanona as the Vice Chairman. Both nominations were accepted and without any objections, a motion was made, as follows:

MOTION

M/S/C: (Customs/Airport): Motion was made to elect the Guam P.O.S.T Chairman and Vice Chairman. The Customs & Quarantine Chief Vincent Perez was elected the Chairman; and the ARFF Chief Raymond Mantanona was elected as the Vice Chairman. Unanimously approved, motion adopted.

b. Medical Profiles. This will be placed on the next POST meeting agenda.

VII. Next Scheduled Meeting. Thursday, July 8, 2021, at 9:30 a.m. in the GCC Learning Resource Center (GCC Library), however this is subject to change.

VIII. Announcements

The Chairman reminded agencies to submit their designation letters of who are authorized to represent their agency during POST Commission meetings, to include the authorization to vote. Need to submit to the POST Commission to be on file to make it official.

Chief Perez mentioned he understands many of the agencies are struggling in trying to have individuals recruited.

- That there are difficulties with the current process with recruitment to include being lengthy.
- Once an individual is recruited, the individual is sent to attend an academy, then goes through the in-house training.

Chief Perez explained that when he was first recruited, he was recruited to an officer's position. - He was first recruited as a Customs Officer I and went through an OJT, an internal type of academy.

- He was vetted and had "powers of arrest."
- This process has evolved where individuals are "picked up" as a trainee, goes through the academy and later the "in-house" training.
- This time period takes approximately one year before individuals are assigned in the field.

Chief Perez proposed to discuss this during future meetings.

- As an emergency measure, have an interim change over in recruitment, for example, as a Police Officer I.
- When done with the academy for six (6) months, and after being given powers of arrest, provide an incentive such as a noncompetitive promotion with the Academy credentials.
- This may be done temporarily.
- This would probably have to go through the Guam Legislature for assistance.
- Using BLEA to promote.
- To revisit each agency's recruitment and promotion process.
- Establish a standard level of promotion instead of individuals waiting for years to be qualified for a promotion.

There were further discussions.

- That this is a good idea but processing applicants and promotions at DOA takes too long.
- Time for processing has to be shortened.
- DOA is not keeping up with the demands for all agencies.
- DOA would need assistance. It is challenging for everyone and the problem would probably have to be presented to the Legislature.

An announcement was made that the Guam Developmental Disabilities Council (GDDC) under the office of the governor in collaboration with GCC and DISID is offering a free in-person training, "Disability Sensitivity & Awareness Training." Call to register at 735-5597 (GCC) or 735-9127/8 (GDDC). The flyer will be emailed to POST members. These are 3-hour training sessions and date/time will be on the flyer.

It was mentioned that the training Disability Sensitivity & Awareness Training should be 16 hours as approved by the Guam POST Commission.

- Although this is mentioned in the POST Commission Minutes, it is not made as part of the Administrative Rules for POST.

Now that the POST Commission is given authority to adopt Rules and Regulations for POST, changes as adopted during POST Commission meetings with regards to the Minutes can be noted

and forwarded to the Guam Compiler of Laws to be made a part of the Guam Administrative Rules and should be regularly updated.

Dr. Fee reiterated that the POST Commission requires an Executive Director, a Certification Officer and an Administrative Assistant in order to function in moving forward.

IX. Adjournment.

MOTION

M/S/C: (Customs/ARFF): A motion was made to adjourn the meeting of June 10, 2021. Unanimously approved.

There being no further discussion, the meeting was adjourned at approximately 11:16 a.m.

/s/

Dated this 15th day of October 2021.

Bertha M. Guerrero
Recording Secretary