



**GUAM PEACE OFFICER STANDARDS
& TRAINING COMMISSION (POST)**

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**P.O.S.T. COMMISSION MEETING MINUTES
Thursday, July 25, 2019**

I. Called to Order. The P.O.S.T. (“POST”) Commission meeting of July 25, 2019, meeting was called to order at 9:00 a.m. by Mr. Robert “Bob” Camacho, POST Commission Executive Director, and POST Chairman, GPD Chief Stephen Ignacio, was held in Room 112 in the Learning Resource Center (Library) 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 Police, Guam Customs & Quarantine Agency, Department of Corrections, Unified Courts of Guam-Probation, Unified Courts of Guam-Marshals, Department of Youth Affairs, Division of Aquatic and Wildlife Resources of the Dept. of Agriculture, Port Police, Guam Attorney General’s Office, GFD.

Documents Received. Document(s)/Packet: July 25, 2019 Agenda; June 21, 2019 P.O.S.T. Minutes; Guam POST Certification Application (new form); POST Certification Procedures; GCC Criminal Justice Certificate Schematic; Proposed New Guam POST Commission Logo and Meaning of Symbols for Current Logo of August 2011.

II. Review and Approval of the Minutes of June 21, 2019.

At this time, Mr. Vince Naputi inquired about the individual POST Certification applications submitted by Judiciary and that he had mentioned this during the last meeting. The Exec. Director informed the members that he has reviewed several letters inquiring about POST Certification applications that were previously submitted before his appointment as the Executive Director.

A correction was made on page 4, replace the word “Association” with the word “Administration” to read “Department of Administration...”

MOTION

M/S/C: (GPD/Customs): Motion was made to approve the Guam P.O.S.T. Commission Meeting Minutes of Friday, June 21, 2019, with corrections. Unanimously approved, motion adopted.

III. Chairman Remarks. *No remarks at this time.*

IV. Interim Executive Director Remarks.

-The Executive Director mentioned that since July 21, 2019, he has been addressing the issues regarding POST Certifications and all issues relating to it, including the statutes regarding the POST.

-He encouraged the members to ask questions now so that he can clarify some of the issues.

-The Exec. Director has reduced some of the forms to simplify the process of obtaining certification and to ensure we are in compliant per the law.

-Goal is that as soon as he receives the applications, he will review them and will try to expedite the process within weeks instead of several months later.

-He asked for each department's cooperation.

V. New Business.

a. P.O.S.T. Certifications Pending.

-The Executive Director explained there are a lot of pending certifications.

-That he has reviewed and signed off on several POST Certifications that were pending such as the AG's Office and Customs. Is finishing up on DOC's applications and should be completed by tomorrow.

-Currently going through Probation's list and GFD.

-He has reviewed the list for the Judiciary Marshals and has completed this.

-Asked that if he missed anything, to please bring it to his attention and if the list needs to be updated, to also submit an updated list.

b. GCC Criminal Justice (CJ) Academy Briefing

-The Executive Director presented a document regarding the GCC Criminal Justice (CJ) Academy and said he met with Mr. Pete Roberto who is the Department Chair for the Criminal Justice Program.

-The Exec. Director was seeking clarification regarding the CJ Program, the CJ Academy and CJ Certificate.

-He referred to the document as well as a PowerPoint detailing how to obtain a Certificate in Criminal Justice.

-That in order to obtain a CJ Certificate you must complete Phase I, which are academic courses AND Phase II, which are the tactical/technical courses, which still includes academic courses but mostly deals with firearms, drills, etc., does not have to do both to get POST Certified.

-The Academic courses are during Fall in August through Spring in May, which is Phase I.

-The Tactical/Technical courses are during May through June, which is during the Summer, which is Phase II and considered the CJ Academy, also known as the Supplemental Academy program.

-The fourteen (14) courses required by law to be POST Certified are embedded into the CJ Academy.

-Although you have a CJ Academy Certificate, an individual would still have to obtain and pass the English requirement, or take the DOA exam during the hiring process.

Customs mentioned there are trainees going through the CJ Academy and some are struggling with the Math and English portions.

-At the end of the 4-6 weeks training, and they don't pass the Math and English, are they precluded from completing the in-house academy, for example Customs' training, or will they be in limbo

until they meet the Math and English requirement, or if Customs chooses to as agreed by the Commission several months ago, as long as they pass the entrance exam this will suffice.

-The Executive Director explained that the law does not say they have to go through a college course but must show they have an English proficiency and take an exam.

-The Executive Director further explained that should an individual go through the CJ Academy but does not pass the Math and English course, they will not get a CJ Certificate. However, should the individual complete the CJ Academy, that individual is still required to take an English proficiency exam such as the DOA exam.

-The POST Commission Certification and GCC accreditation are different. The POST certification has to stay within the parameters of the law as to what is required and completed and not by credits. The agency has to ensure that the English is taken through UOG, GCC or take the DOA exam.

-Customs want assurances that these individuals can still be certified as law enforcement officers as long as they are provided with the opportunity and resources to obtain the English proficiency portion.

-The Executive Director reiterated that there is still the pre-employment requirement. That it would be difficult if the individual is unable to pass the English proficiency portion because of issues that reports are not up to standards. This is difficult and is an issue brought up by the AG's Office that officers are not able to write a report when they are prosecuting a case.

The Executive Director asked that should there be issues with DOA and are inquiring via email, to include him in the email so that he can also provide advice. That DOA has been very cooperative and that he is willing to assist.

Another question brought up was individuals who have retired, if they are to be grandfathered, what is the process for this certification.

-The Executive Director explained this is in the POST Certification Procedural Process:

“HOW DO THESE EDUCATIONAL AND TRAINING REQUIREMENTS APPLY TO EMPLOYEES WHO ARE CURRENTLY EMPLOYED OR WHO WERE PREVIOUSLY EMPLOYED?” HOW CAN THEY BE P.O.S.T. CERTIFIED?

Here are the statutes that addresses this question:

P.L. 32-232, 27 GAR – PUBLIC SAFETY CH. 3 – GUAM P.O.S.T. (PEACE OFFICER STANDARDS AND TRAINING) COMMISSION ADMINISTRATIVE RULES

Any person who has been serving on a **permanent basis as a peace officer** on Guam prior to the promulgation hereof (**December 30, 2014**) and who is **currently** employed as a peace officer, **or** was **previously employed** as a peace officer for at **least ten (10) years prior to September 7, 2007**, may be certified as a peace officer by the Executive Director **without** having complied with § 51104(b) and (c).

AND

17 GCA EDUCATION CH. 51 PEACE OFFICER STANDARDS AND TRAINING COMMISSION CHAPTER 51 PEACE OFFICER STANDARDS AND TRAINING COMMISSION § 51105. Certification without Compliance with Requirements of § 51104; Applicability of Civil Service Provisions.

(a) Notwithstanding any other provision within this Article, any person who has been employed on a permanent basis as a peace officer on Guam prior to the enactment hereof and who is currently employed as a peace officer or was previously employed as a peace officer for at least ten (10) years prior to enactment hereof, may be certified as a peace officer by the Executive Director without having complied with § 51104 (b) and (c).

This part of the statute was intended to ensure that those employees prior to the promulgation of the law are considered and do not have to go through additional training. With hundreds of previously employed peace officers throughout the government agencies, it would be impossible to have all of them follow the existing academic requirements because it would be very costly and adversely affect overall government operations.

In the new form that is provided, you should indicate that you are applying these two statutes to your P.O.S.T Certification. There will also be a Date of Hire and Resignation section.”

-The Executive Director explained the process would be to complete a POST Certification Application and submit to the POST Executive Director and not go through the agency the individual separated from. Would first need the POST Certification for re-employment.

c. Application and Certification Form

-There were questions as follows:

-There was a question regarding an individual that has separated from the department for approximately 3-5 years. What happens to those records beyond 3-5 years, can individual retrieve records from GCC.

Exec. Director Bob Camacho also explained that the certification is still valid after three (3) years after separation from the department. Individual can be rehired within the three (3) years. Individual should still fill out the POST Certification Application form and provide training certificates.

Another question, an individual that has been employed over 10 years, returning for re-employment, would they still qualify. Exec. Director Camacho explained they still qualify by submitting the application.

The Exec. Director explained that he will approve a blanket for all the employees listed as “grandfathered” but that list will not be given to each individual employee. In addition, he recommended that each employee should submit an individual application and will be given the POST Certification approval for each individual employee along with Certificates, etc., to validate the trainings.

For those requesting for re-employment, an individual can complete the form but a date of hire and separation should be completed. A temporary certification is allowed. The temporary certification does not have a deadline and would have to be under the discretion of the agency head as to what terms the individual is being temporarily rehired for.

-Anything after three (3) years of the certification has lapsed, it would be considered a temporary certification.

-The application will add another item for “Temporary Certification” for these individuals.

-The Chairman recommended a two-year timeframe for the temporary employment.

MOTION

M/S/C: (GPD/DOC): Motion was made to approve the Guam P.O.S.T. Commission Certification Application as presented and to add another section to include “Temporary Certification” for individuals being temporarily hired. Unanimously approved, motion adopted.

-Discussions included a temporary certification will allow the person to be hired temporarily and could be given at least a two-year timeframe to complete the certification requirements.

-For example, if an individual has not completed one or some of the requirements, this will allow that individual time to do so to be fully certified.

-The difference between the temporary and full certification is allowing time to be fully certified by issuing a temporary certification.

-Temporary hire is also specified in the law.

d. POST Certification Procedural Process. A copy of the POST Certification Procedural Process was presented to the members. Some of the procedures included discussions from today’s meeting.

-This will be posted on the POST Commission website with some modifications.

-The Exec. Director again informed members that should they have any questions, he may be contacted via telephone or email as noted in the attached Procedural Process document.

-Referring to page 4, “Before I am employed, what must be completed by the Agency?”, this falls under the pre-employment process. He emphasized item (f) that it would be the department’s responsibility to ensure completion by the individual.

There was a question from the Airport regarding the English proficiency requirement from prior meetings whether it was accepted by the POST Commission.

-The Exec. Director explained yes it was voted and accepted that the DOA exam is one of the resources that can be used for individuals to complete this requirement. It was not agreed that each agency can conduct its proficiency exam in meeting this POST Certification requirement.

-The Airport does not use DOA for its recruitment process and might be charged a fee for this exam. Would have to look into this. The Airport will allow it because it is part of the law.

GFD explained they were also having problems with hiring and not meeting the proficiency requirement. Individuals are sent to GCC to take the exam and if they do not pass the third time, GFD will not recruit these individuals. So this is the route GFD takes for this requirement to be met.

-The Executive Director will contact DOA as to what it can do for the Airport and other agencies that are having this problem.

The Exec. Director encourage members to provide input where they feel is needed in the procedures.

e. Completed POST and Pending List – Excel Spreadsheet. The Executive Director has been approving many requests for a Guam POST Certification. He asked if all members can have its employee’s listed in an Excel format and email to him to assist him in putting together this list.

-That he is working on a comprehensive list to manage as to who have been certified. This will also assist the POST Commission should the Legislature inquire how many have been certified to date.

f. POST Acceptance of Outside Agencies: FLETC, Federal Agencies, Homeland, Military, National Institute of Corrections, Probation and Parole, Federal Fire Training, PoliceOne Training. Will POST Commission accept these trainings that are equivalent or comparable with their training as valid and acceptable to the POST Commission?

The Executive Director has been receiving several requests from outside agencies such as from Naval Investigative Services, Military Police and other individuals who have gone through Federal training.

He explained that it is allowable to accept these institutions but the POST Commission would have to agree to accept these institution's syllabus or training as valid and acceptable for a Guam POST Commission Certification.

-Several requests are from individuals who have been trained off-island, such as a military police, etc. That he has been reviewing these on a case by case basis.

-There were discussions that some officers have received training such as Criminal Investigation and Criminal Law but training should also include Guam Law.

-Asking if there is a way to work this out with maybe a temporary certification and on a case by case basis.

-There were several discussions and the following motion was made:

MOTION

M/S/C: (GPD/Customs): Motion was made to accept the proposal from Executive Director Robert Camacho to approve requests for Guam POST Certification on a case by case basis an individual's training from outside agencies. Unanimously approved, motion adopted.

g. Logo Proposal. A new logo for the Guam P.O.S.T. Commission was presented to the members. This was also proposed by the former Executive Director Dennis Santo Tomas designed by the GCC Graphic Artist, Ms. Angela Cabrera. The Commission was informed of what each of the symbols on the logo represented from August 2011.

SHIELD – Symbolizes duty to **protect and serve** as peace officers

SWORD – Symbolizes the **honor, courage, trust and integrity** of every peace officer

OLIVE BRANCH – Symbolizes our duty and responsibility to keep **peace and order** within our community

LADY JUSTICE – Represents **truth, justice, ethical standards and equality**

BOOK AND DIPLOMA – Symbolizes the **Guam Community College** and an unrelenting pursuit of **higher learning for all peace officers**

TORCH – Represents **leadership and excellence**

GUAM SEAL – Symbolizes the **People of Guam**

12 Stars – Represents all the **agencies** that make the POST Commission. In 2011, there were 12 members.

GOLD ROPE – Symbolizes that we are **bound together in a common goal** to ensure the highest standards of professionalism by continuing to improve the quality of our education and training.

“We Set the Standard” – Motto and mission succinctly describes the **duty and responsibility of the POST Commission.**

After discussions, the following motion was then made:

MOTION

M/S/C: (Airport/GPD): Motion was made to approve the new Guam P.O.S.T. Commission logo. Unanimously approved, motion adopted.

VI. Next Scheduled Meeting. August 29, 2019 (subject to change)

VII. Announcements/Discussion.

-There was a request for Trainer Certifications. The Executive Director will create a form for this.
-Mr. Pete Roberto will be pushing out the bridge questions relating to his presentation during the last POST meeting.

-Chief Vince Perez informed members that the number of Customs Officers are down and did a preliminary data analysis of officers that have left the department. That 30% of all officers who have resigned have gone into the Federal sector. Meaning they are using Customs as a training ground to gain experience to be able to apply for Federal service. Not sure if other agencies are experiencing the same. Spoke with Director Ike Peredo and was given authorization to discuss this. One of the issues they are looking at is retention and pay. What can be done as a Commission or form a committee to look into the pay schedule. That he believes the pay schedule should remain the same. Would like to form a committee to explore during the next meeting a pay for similar levels of responsibilities and standardizing the pay.

As an example, in the military, if you are an E4 and you are transferred, you will remain with the same title and pay considering it is a similar level of responsibility.

There were discussions:

-DYA mentioned they are experiencing the same. That this is something to also bring before the Legislature. Another member mentioned this is probably all around but also within Government of Guam agencies. They are looking for something to move up and there is nothing to retain them.

-It is not just the pay but creating a true standard of the pay schedule. Creating a venue for more fairness and equity. That it does not do us any good that POST is standardizing training and educational requirements but not standardizing the levels of pays as it equates to your levels of responsibilities.

-DYA recommend that the Commission also look at creating promotions for those who have many years of service. That his department has an individual who has been there for twenty-six (26) years and has not been promoted but should be qualified for a position upgrade. Something to look at.

-To develop some type of mechanism to do this.

-That it may not be the time to ask for this but to start asking.

-Suggestion to look at more benefits.

-That DOA has to be involved and provide their expertise.

-The Executive Director mentioned this is something that can be brought up for discussions.

-DYA will be introducing a Bill to protect the position and funding whenever an employee resigns. That there has to be some type of minimum that should not be taken away.

-The Executive Director will bring this up to Senator Terlaje and maybe invite him to one of the meetings.

VIII. Adjournment

MOTION

M/S/C: (Customs/AG): A motion was made to adjourn the meeting of July 25, 2019. Unanimously approved.

There being no further discussion, the meeting was adjourned at approximately 10:40 a.m.

Dated this 26th day of September 2019.

/s/

Bertha M. Guerrero
Recording Secretary