



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

12 JUN 2009

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trenta Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed. D.

Date

Time

Received by

4:30 PM
6/12/09

Dear Speaker Won Pat:

Please find attached Bill No. 53 (COR), "AN ACT TO APPROPRIATE FUNDS TO THE MAYORS COUNCIL OF GUAM FROM THE GUAM HIGHWAY FUND FOR VILLAGE STREETS MAINTENANCE AND BEAUTIFICATION AND OTHER PURPOSES," which I have vetoed.

The fiscal impact of Bill No. 53 upon the Guam Highway Fund (GHF) will be significant. Bill No. 53 appropriates \$1,600,000 which, if passed, will result in a shortfall of \$727,383 to the GHF. Since the GHF cannot support the appropriation contained in Bill No. 53, I have vetoed the measure.

Sins eru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Eliz P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

12 JUN 2009

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' Trenta Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 6/12/09
Time: 4:30
Received by: [Signature]

Dear Speaker Won Pat:

Please find attached Bill No. 60 (COR), "AN ACT TO ESTABLISH MINIMUM QUALIFICATIONS FOR MANAGEMENT LEVEL UNIFORMED POSITIONS IN THE GUAM POLICE DEPARTMENT, BY *ADDING* NEW §§ 77110.2, 77110.3 AND 77110.4 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED," which I have vetoed.

Starting in 2006 the Guam Police Department ("GPD") in concert with the Department of Administration ("DOA") and the P.O.S.T. Commission have been actively engaged in the process of developing a modification to the minimum qualifications for certain police officer positions. GPD discussed proposed changes to the minimum qualifications language with its officers for more than two years and requested their input throughout that period. Moreover, DOA conducted a duly noticed public hearing on the matter and accepted written testimony for a ten-day period. A greater percentage of individuals submitting testimony agreed with the adopted language. In particular, one of the comments, which DOA found persuasive, was received from a police sergeant who was against it only because of the way the educational requirements were first indicated in the then-proposed amendments.

DOA had originally worded the education requirements to be stricter, similar to Bill No. 60, in that the education had to be all law enforcement related. The previously mentioned sergeant asked DOA to not be so restrictive in terms of education. He said that he would no longer qualify if the education were made to be more specific. He further explained that even the Federal Bureau of Investigation ("FBI") when they recruit for their agent positions; they accept applicants with varying degrees because they want their agents to have a diversified educational background. DOA researched the practices of the FBI and found this to be accurate, and so they carefully weighed his comments and the input from the Chief and reverted the educational requirement back to the way it was before the recent amendments.

Bill No. 60 proposes to undo a process of adopting additional language for police officer minimum qualifications that was procedurally fair. The qualifications were modified by adding "any equivalent combination of education, police training and experience which provides the minimum knowledge, abilities and skills." This language is similar to other qualifications used by police departments throughout the United States. Specifically, GPD looked to the language from the Hawaii Police Department.

The need for adding the adopted language arose out of an absolute need to right size GPD through promotions and recruitment. The ranks of GPD were decimated by the 1997 government of Guam early out program. The Department has never recovered and still suffers from a shortage of police officers and a dearth of leadership. Quite often police officers have been forced to under fill critical positions ranging from one to two levels above their rank. In order to maintain public safety for our current population and in anticipation of the military build up, it was necessary for GPD to realign its organizational structure and staffing pattern.

The adopted language enhances GPD's ability to recruit and promote police officers because it broadens the pool of candidates without lowering standards. Unfortunately, the possible impact of Bill No. 60 may result in an insufficient listing of eligible applicants for these uniformed management level positions.

Prior to the January 15, 2009 amendments to the minimum qualifications, there were a handful of announcements for these positions and from January 1, 1995 to January 1, 2009, there were only 4 qualified applicants for Police Major, 27 qualified applicants for Police Captain, and 37 qualified applicants for Police Lieutenant. Furthermore, DOA identified at least 18 that have earned a bachelor's or master's degree from GPD's 291 employees occupying the police officer position series. This would equate to about 6 percent of their police officers with at least a bachelor's degree. Imposing a degree for the Police Major, Police Captain, and Police Lieutenant positions will very likely impair GPD's ability to recruit for these positions and would shrink the applicant pool.

To illustrate a case in point, DOA has recently announced nine vacancies for the position of Police Captain. It was announced in-house which means only GPD employees could apply and it was announced based on the currently amended classification specifications. Out of the 35 applicants, 21 qualified, 10 of which are Lieutenants and 11 are Sergeants. Out of the 10 Lieutenants, only five have bachelor degrees or higher. If the Police Captain position were announced based on the requirements of Bill No. 60, there would have only been five qualified applicants to eventually certify to the Police Chief. Pursuant to the Department of Administration Rules and Regulations, the certification list would have been considered insufficient to interview from because a sufficient list is supposed to consist of at least 13 qualified applicants, based on 9 vacancies.

Bill No. 60 would take away the process of establishing minimum qualifications from DOA and it is their personnel specialists who understand and are adequately trained in the needs and requirements to classify positions and establish minimum qualifications.

I hope this explains and allays the concerns of *I Liheslaturan Guåhan* as the establishment of the minimum qualifications for police officer positions was conducted in a fair and deliberate process by personnel specialist within the Department of Administration.

Sinseru yan Magåhet,



FELIX P. CAMACHO

I Maga'låhen Guåhan
Governor of Guam