



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

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**P.O.S.T. COMMISSION MEETING MINUTES
Thursday, August 3, 2017**

I. Called to Order. The P.O.S.T. (“POST”) Commission meeting of August 3, 2017 was called to order at 9:13.m. by Mr. Vince 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.

II. Acknowledging Senator Telena Nelson and Mr. Pete Mesa, Chief of Staff from the office of Senator Telena Nelson were in attendance.

Documents Received. Document(s)/Packet: 8/31/17 Agenda; Minutes of July 6, 2017; GPD Discussion Paper; Senator Telena Nelson’s Interim Standards Version 2.1.

III. Redo the motion to approve May 11, 2017 meeting minutes. Minutes of May 11, 2017 were re-approved due to non-member making a motion for said approval. At this time the following motion was made.

MOTION

M/S/C (Guam Police Department/Department of Corrections): Motion was made to approve the POST Commission meeting minutes of May 11, 2017, with corrections. Unanimously approved, motion adopted.

IV. Review Approval of Minutes from previous meeting (July 6, 2017).

MOTION

M/S/C (Guam Police Department/Department of Corrections): Motion was made to approve the POST Commission meeting minutes of July 6, 2017, with corrections. Unanimously approved, motion adopted.

Mr. Dennis Santo Tomas, POST Commission Executive Director, mentioned that Senator Nelson's office will assist in having DYA added as a voting member during the POST Commission meetings.

V. Chairman Remarks. The Vice Chairman mentioned, the following:
Informed the Commission that the POST Chairman, Chief Bob Camacho, is currently on medical leave and that there will be an election for a new Chairman and Vice Chairman for the Guam POST Commission.

VI. Executive Director Remarks.

a. The Executive Director also informed the Commission that there are currently four (4) concurrent academies ongoing: Department of Corrections Academy, Guam Police Department Cycle, Criminal Justice Academy (an annual summer academy), and a new academy, the Marine Terrestrial Conservation Enforcement Academy.

-Made of officers within the Pacific region from Guam, Chuuk, Ponpei, Kosrae and Yap. Lt. Aguon is the Cadre.

-Funded by a Conservation Trust involved in protecting our environment.

-Thanked GPD and DOC for their collaboration in training side by side with some of the tactical training.

b. Mentioned in previous meetings, that each agencies' Research and Development Team should get together and work with Lt. Mark Torre to develop an acceptable PFQT standards for the Guam POST Commission.

-Asked that all trainers should collaborate with Lt. Torre and identify each representatives from each agency to move forward on this matter.

-Should report progress each month during the POST Commission meetings.

PFQT Updates from departments/agencies:

a. Guam Police Department, Chief J. Cruz mentioned the following:

-Copies of a similar discussion paper were distributed.

-Utilized the PFQT table, referred as Modified PFQT Standards Version 3 that was issued during the last meeting, July 7, 2017.

-GPD agreed to test this first as an Interim Standards.

-Total of 19 were tested and results indicate 53% passing with Version 3, a little bit better; Fail rate = 26% ; No show (unable to participate due to being on leave and other issues) = 21%.

-Decision made to move forward on this but made three (3) recommendations, the same as what Mr. Lamorena recommended, as follows:

1. That the Commission be given the autonomy to determine what truly is the best standards.
2. Should the Research and Development team recommend July 1, 2018 as the due date for the PFQT.

-But should be agency specific with each agency's mission.

3. Requesting for full compliance no later than two (2) years after July 1, 2018, to especially give consideration to the employees working on shift.

- That after the two (2) years should an officer be in non-compliant then decertification should take place.
- Believes there is a need for standards but should have consequences for non-compliance after the two (2) years of July 1, 2018.
- Will be providing results to Senator Nelson's office.

Further discussions as follows:

- It was addressed to the Senator that the Guam POST Commission should be given the autonomy to regulate itself.
- Believes each agency is responsible enough without having to get Legislative approval each time, especially in matters that require moving forward expeditiously.

b. Guam Customs and Quarantine reported the following:

- Used the modified standards and conducted an assessment.
- Officers that were tested out of 113, 87% passed; the remainder that did not pass were on waiver or military leave.
- Believes in having standards and support the modified version 3 with a baseline but with the POST Commission having the autonomy to develop its standards, review it periodically with oversight from the Guam Legislature.
- Standards should be developed conducive with each agency's mission.
- Will be submitting results as well to Senator Nelson's office.

Mr. Mesa asked for clarification for the testing of Male 18-30 for the run time.

GPD informed him the minimum for a 1 mile run is 10 minutes, 52 seconds.

- Customs & Quarantine will provide its data to Senator Nelson. Report only provided
- Mr. Mesa asked that raw data should also be provided from each agency.

Senator Nelson asked for clarification regarding when the public law for the POST Commission standards was enacted and was informed it was in December 2014.

- Senator Nelson then mentioned how can this be explained to the public that it has been three (3) years and what has been done within this period to be in compliant. That this is one of her concerns.
- Senator Nelson also mentioned to the Commission that she does support allowing the Guam POST Commission the flexibility to determine its own standards for their organization or agencies. That she truly supports this because it makes perfect sense.
- Is also concerned about how to go back and say another two (2) plus years for implementation and being accountable for this. For each agency to consider this.
- The Senator further stated we do not want to jeopardize anyone's jobs or jeopardize the public's safety if we lose both.
- That there are measures put in place to protect them and stated it is the jobs, as Chiefs, to do this. - That it is not the case if they fail the Interim, they will be kicked out. That a lot of people seem to be saying this and this is their fear.
- That the Chiefs should inform their officers that this is not the case. That we care about their fitness.
- Some officers have health problems and have very bad injuries that are work related and have not been compensated properly.
- That many officers are afraid to lose their jobs.

- That each agency is accountable for its employees, especially if these officers, workers, our force were injured during the job.
- That the development of standards is not the only issue here.
- That the Guam POST Commission has to remember that in developing its policies, it has to consider and protect its law enforcement officers whether they are from GPD, DOC, Conservation Officers, etc., from the different agencies.
- To provide support for those with disabilities by being properly compensated, providing proper insurance, life time coverage, etc.
- Expectations is to support our police officers, fire department, customs, DOC, conservation officers, etc. To protect them and have to implement policies to protect them, government wide.
- The Senator further mentioned she appreciates everyone's support and grateful for what the law enforcement is doing.

Vice Chairman Lt. Vincent Perez mentioned he is in favor of the idea of supporting Guam's law enforcement officers.

- One of the things to be clear of is it might take legislative policy or mandates that provides assistance for those in law enforcement to be able to provide some of the support mechanism. Senator Nelson mentioned she understands this.
- That through the years, there were many concerns and has been continually approached with the physical fitness initiatives and that one concern that is constantly being brought up is having officers "grandfathered" as one of the solutions.
- That "grandfathering" defeats the purpose of implementing a fitness policy.
- A healthier force means having more people on duty.
- There are officers that are diabetic or injured and believes that the AFI does not address this.
- Hopefully to have a solution for this.
- For Customs and Quarantine, Lt. Perez does not want to lose any employees.
- Wants to help its employees and that they are needed and want to continue to help them not force them out.

Further discussions:

- Some agencies have workers that also need to retire but cannot due to issues with the Retirement office.
- Workers are placed on desk duty but just cannot retire.
- Sometimes it's a budget issue or rating from an individual's physician that does not comprehend the process.
- The Senator further stated that there are bigger issues here other than the physical fitness portion. To look at the law and see if we can expand the authority of the POST Commission to become as a decisive Board or Commission to help protect the workforce of our public safety officers.

VII. Senator Nelson reported the status of the proposed Bill for the POST Commission.

- The Senator provided a copy of an adjusted Interim standards.
- Some regarded this as PFQT Version 2.1.
- Mentioned can use the interim standards provided to the Senator or use what her office provided as another option.
- There were several discussions as everyone reviewed what was submitted.
- The Senator will introduce this to the Guam Legislature and conduct a public hearing.

Mr. Pete Mesa from Senator Nelson's office mentioned:

-Raw data was not submitted until yesterday.

-Ended up developing another.

-Some of the changes:

- Times used were average.
- Analysis was considered for a 60 year old to be given an option to walk or run, including for a 50 year old, especially for some that have injuries.

MOTION

M/S/C (Attorney General/Guam Police Department): Motion was made to approve the Interim standards submitted by the office of Senator Telena Nelson as Version 2.1, which supersedes the previous Interim standards submitted by the POST Commission. Unanimously approved.

VIII. Election of new Chairman and Vice Chairman.

At this time Vice Chairman Vince Perez addressed the Commission that election for a new Chairman and Vice Chairman is due.

-This was also mentioned during last month's meeting for members to consider nominations for these positions.

-That he will also be available regardless of who is elected today to assist in moving forward especially with the issue of a modified PFQT standards.

-GPD Chief Joseph Cruz was nominated as the Chairman; Lt. Vincent Perez was nominated as the Vice Chairman for the Guam POST Commission.

MOTION

M/S/C (Department of Corrections/Customs & Quarantine): Motion was made to elect the Guam Police Department Chief Joseph Cruz as the Chairman for the Guam POST Commission. Unanimously approved.

At this time Chief J. Cruz conducted the meeting for the following election.

MOTION

M/S/C (Department of Corrections/GPD): Motion was made to elect the Guam Customs and Quarantine Chief Lt. Vincent Perez as the Vice Chairman for the Guam POST Commission. Unanimously approved.

IX. Next Meeting Scheduled. August 31, 2017.

X. Adjournment.

MOTION

M/S/C (Guam Police Department/DOC): A motion was made to adjourn the meeting of August 3, 2017. Unanimously approved.

There being no further discussions, the meeting adjourned at approximately 10:05 a.m.

/s/

Dated this 31st day of August 2017.

Bertha M. Guerrero
Recording Secretary