





*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
108-37 (LS)	Jesse A. Lujan Thomas J. Fisher Dwayne T. D. San Nicolas Chris Barnett	AN ACT TO ADD A NEW CHAPTER 77A TO DIVISION 3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO SUPPORTING HIRING ACTIVITIES BY GUAM LAW ENFORCEMENT AGENCIES EXPERIENCING INCREASED COMPETITION FOR HIRING AND DIFFICULTY WITH RETENTION, TO BE KNOWN AS THE "COMPREHENSIVE CRYSTAL METH PREVENTION AND IMPROVED LAW ENFORCEMENT AND SAFETY ACT OF 2023.	5/1/23 4:45 p.m.						

*I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN*  
**2023 (FIRST) Regular Session**

**Bill No. 108-37 (LS)**

Introduced by:

Jesse A. Lujan   
Thomas J. Fisher   
Dwayne T.D. San Nicolas   
Chris Barnett 

**AN ACT TO ADD A NEW CHAPTER 77A TO DIVISION  
3, TITLE 10, GUAM CODE ANNOTATED, RELATIVE  
TO SUPPORTING HIRING ACTIVITIES BY GUAM  
LAW ENFORCEMENT AGENCIES EXPERIENCING  
INCREASED COMPETITION FOR HIRING AND  
DIFFICULTY WITH RETENTION, TO BE KNOWN AS  
THE “COMPREHENSIVE CRYSTAL METH  
PREVENTION AND IMPROVED LAW ENFORCEMENT  
AND SAFETY ACT OF 2023.”**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** A new Chapter 77A is added to Division 3, Title 10, Guam Code

3 Annotated to read:

4 **“CHAPTER 77A**

5 **THE COMPREHENSIVE CRYSTAL METH PREVENTION AND**

6 **IMPROVED LAW ENFORCEMENT AND SAFETY ACT OF 2023**

7 **§ 77A001. Title.**

8 **§ 77A002. Legislative Findings and Intent.**

9 **§ 77A003. Definitions.**

1        § 77A004. Customs and Quarantine Agency Inspectors.

2        § 77A005. Guam Police Department Drug Prevention Officers.

3        § 77A006. GPD K-9 Unit.

4        § 77A007. Provision and Appropriation.

5        § 77A008. Severability.

6        **§ 77A001. Title. This Chapter shall be cited as “The Comprehensive**  
7 **Crystal Meth Prevention and Improved Law Enforcement and Safety Act of**  
8 **2023”**

9        **§ 77A002. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds**  
10 **that the usage and distribution of the schedule 2 stimulant, methamphetamine, or**  
11 **“crystal meth” has reached unprecedented levels in Guam. The island of Guam is**  
12 **awash with the illegal substance. Addiction is rampant and the supply chain seems**  
13 **to be growing stronger despite all efforts to prevent the drug’s importation and usage.**  
14 **Local Customs and Law enforcement are overwhelmed, regardless of the Federal**  
15 **Government’s assistance. The price of crystal meth on the streets is decreasing and**  
16 **its availability is increasingly unhindered. This drug crisis is prefaced by a lack of**  
17 **inspectors at the Customs and Quarantine Agency as well as peace officers in the**  
18 **drug enforcement agency of the Guam Police Department. With the shortage of**  
19 **public safety personnel, communities across the island of Guam are paying the price**  
20 **of an under-staffed workforce. Since local peace officers are unable to carry out their**  
21 **duty effectively, Guam has seen record heights in drug distribution and crimes,**  
22 **specifically distribution and crimes related to meth.**

23        ***I Liheslaturan Guåhan* believes that a multi-pronged and comprehensive**  
24 **approach must be undertaken immediately. The Customs and Quarantine Agency**  
25 **(CQA) needs more inspectors at the Port Authority of Guam and the Guam**  
26 **International Airport Authority. More inspections must be conducted if we are to**  
27 **intercept and prevent drugs from reaching the streets of Guam. Likewise, the Guam**



1 Police Department (GPD) needs experienced drug enforcement detectives and  
2 investigators, and GPD needs them now. More officers dedicated to locating and  
3 stopping meth will ensure that GPD is more effective and efficient in narcotics  
4 enforcement. Additionally, drug interdiction on Guam will be increasingly  
5 successful with the acquisition of more K-9 Unit dogs to assist our law enforcement.

6 *I Liheslaturan Guåhan* further finds that both the Customs and Quarantine  
7 Agency and the Guam Police Department face substantial challenges in recruiting,  
8 hiring, and retaining personnel. The struggle to hire and keep qualified staff has  
9 hindered both Government of Guam law enforcement entities from sufficiently  
10 fulfilling their mission, thus significantly impacting the public safety of Guam.  
11 Customs and Quarantine has to rival the pay of other Federal Agencies who snatch  
12 personnel from the Agency upon the completion of training. Whereas, the Guam  
13 Police Department not only struggles with retainment, but also has to recruit  
14 qualified personnel. Waiting for the natural training and learning cycles of both GPD  
15 and CQA officers to occur will not yield enough interested and prepared staff.  
16 Simply employing and training new recruits in law enforcement isn't adequate  
17 enough to fill the need that is securing our island and stopping the drug importation  
18 and distribution of methamphetamine. Only by recruiting outside of the Guam Police  
19 Department and the Customs and Quarantine Agency can enough trained and  
20 experienced officers be installed and activated. Our public safety offices must be  
21 given the resources to hire and retain enough seasoned officers to be able to make  
22 an impact in the ever-growing crisis of crystal methamphetamine on Guam. The  
23 need for trained drug enforcement officers and detectives is undeniable and the both  
24 GPD and CQA must be given the ability to hire competitively if we are to effectively  
25 and efficiently beat the methamphetamine plague.

26 *I Liheslaturan Guåhan* further finds that increasing the salary and ensuring a  
27 competitive pay with benefits for experienced personnel with suitable qualities for

1 the job not only guarantees applicants, it secures retention. In order for our island to  
2 cultivate and maintain a safe, thriving community, the recruitment, hiring, and  
3 retention of the best law enforcement officers is critical. These increased salaries  
4 shall be for both CQA and GPD to immediately hire and retain experienced and  
5 properly trained officers and activate them immediately in the mission of stopping  
6 and preventing the importation and distribution of meth.

7 *I Liheslaturan Guåhan* further finds that the success of drug interdiction  
8 depends on both the expertise of human personnel and the skills of drug detection  
9 dogs. These specially trained canines can be used to detect drugs on individuals,  
10 within buildings, open areas, and vehicles. The services provided by these dogs are  
11 invaluable to drug enforcement as they can sniff scents hidden beneath layers of  
12 materials, objects, and among other odors. They can bypass multiple smells and  
13 locate the desired target. However, these canines need to be treated properly and  
14 cared for, in a similar way to hired human personnel. Consequently, it is the purpose  
15 of this legislation to improve the efficiency of our local drug investigations and  
16 ensure that law enforcement on Guam has access to healthy, operational, and  
17 adequately trained and maintained canines in a K-9 unit to be utilized by the Guam  
18 Police Department.

19 *I Liheslaturan Guåhan* therefore intends to invest in our local law  
20 enforcement officers and support the massive undertaking that is keeping our  
21 communities safe by addressing these insufficiencies and hereby authorizing the  
22 Director of the Department of Administration to increase the salary and benefits to  
23 incentivize seasoned personnel from other federal agencies and the like on Guam, to  
24 be recruited and retained under the Customs and Quarantine Agency or the Guam  
25 Police Department, and to also further support our law enforcement by allocating  
26 resources for a K-9 unit to aid in all drug enforcement efforts conducted by the Guam  
27 Police Department.



1        **§ 77A003. Definitions.** For the purposes of this section, the term:

- 2            a. “Experienced or Seasoned Personnel” shall mean personnel with a  
3            minimum of five (5) years of knowledge and direct practice in the  
4            field of drug detection, enforcement, and prevention, and a  
5            minimum total of ten (10) years of experience in law enforcement.
- 6            b. “K-9 Unit” shall mean the office or section in which a law  
7            enforcement organization facilitates its canine enforcement program  
8            utilizing healthy, operational canines with certified drug interdiction  
9            training received at an acceptably certified canine training school  
10           which meets or exceeds U.S. K-9 national standards, as determined  
11           by the appointing authority.
- 12           c. “K-9 Support Personnel” shall mean the certified staff needed to  
13           train, maintain, and handle the canines in the K-9 unit.
- 14           d. “K-9 Facility” shall mean the premises and buildings required to  
15           house, train, and maintain the K-9 unit.

16        **§ 77A004. Customs and Quarantine Agency Inspectors.** The Customs  
17        and Quarantine Agency is hereby authorized to hire twelve (12) experienced  
18        inspectors to immediately increase the Agency’s ability to conduct inspections at the  
19        port and the airport.

- 20           a. These inspector positions shall be permanent classified positions  
21           with the starting annual salary of Sixty Thousand Dollars (\$60,000).
- 22           b. The seasoned personnel hired for these positions shall be dedicated  
23           to preventing the importation of crystal meth and other dangerous  
24           drugs coming into our territory.
- 25           c. Customs and Quarantine Inspectors hired under this Act shall not be  
26           subject to reassignment until the Director of Customs and

1 Quarantine certifies that the crystal methamphetamine plague on  
2 Guam has been eliminated or the Legislature amends this Act.

3 **§ 77A005. Guam Police Department Drug Prevention Officers.**

4 a. The Guam Police Department is hereby authorized to hire five (5)  
5 experienced drug investigators and or detectives.

- 6 1. These officer positions shall be permanent classified positions with  
7 the starting salary of Eighty-Five Thousand Dollars (\$85,000.00)
- 8 2. The personnel hired for these positions shall be dedicated to the  
9 prevention and investigation of crystal methamphetamine.
- 10 3. Guam Police Department Drug Prevention Officers hired under this  
11 Act shall not be subject to reassignment until the Chief of Police  
12 certifies that the crystal methamphetamine plague on Guam has  
13 been eliminated or the Legislature amends this Act.

14 b. The legislature also allocates immediate additional funding, as set forth  
15 in § 77A007(b), to acquire equipment and other necessary support to allow  
16 these five (5) additional officers and the current drug prevention staff at  
17 the Guam Police Department to do their work.

18 **§ 77A006. GPD K-9 Unit.** The legislature hereby allocates One Million  
19 Dollars (\$1,000,000.00), as set forth in § 77A007(c), to ensure that law enforcement  
20 on Guam has access to healthy, operational, and certified narcotics detection canines  
21 in a K-9 unit to be utilized by the Guam Police Department. The allocation under  
22 this provision shall be for:

- 23 a. The Acquisition of K-9 Unit Canines:
  - 24 i. with narcotics detection training and experience in the field; and
  - 25 ii. with a minimum age of two (2) years but a maximum age of five  
26 (5) years.
- 27 b. Hiring K-9 Support Staff and Personnel including:



1 i. Certified Canine Handlers, Officers, or other support positions  
2 who shall work alongside the canines and care for the canines when  
3 they are not on duty with a law enforcement agency; and

4 ii. the resources needed for the support staff and personnel to  
5 continue training and handling K-9 Unit canines.

6 c. The Acquisition of Resources including, but not limited to:

7 i. Molle (modular light-weight load-carrying equipment) gear,  
8 harnesses & vests, leashes, collars, muzzles, electric collars,  
9 tracking gear, detector dog gear, protection equipment; and

10 ii. Dietary and nutrition resources required to sustain and nourish  
11 the canines in the K-9 Unit; and

12 iii. The necessary materials needed to outfit patrol cars required to  
13 accommodate transporting K-9 Unit canines; and

14 iv. The continuous medical preventive and primary healthcare for  
15 the K-9 Unit canines; and

16 d. The establishment of facilities needed to continue training K-9 Unit  
17 canines.

18 § 77A007.Appropriation. Notwithstanding any other provision of law, for  
19 Fiscal Year 2024, the following sums are appropriated to:

20 a. Customs and Quarantine. The sum of seven hundred and twenty  
21 thousand dollars (\$720,000.00) is appropriated from the General Fund  
22 for the sole purpose of hiring twelve (12) additional inspectors to be  
23 stationed at the Port Authority of Guam and the Guam International  
24 Airport Authority.

25 b. Guam Police Department.

26 1. The sum of Four Hundred and Twenty-Five Thousand Dollars



1           (\$425,000.00) is appropriated from the General Fund for the sole  
2           purpose of hiring five (5) experienced law enforcement officers  
3           dedicated to the prevention and investigation of crystal  
4           methamphetamine and other such drugs at the Guam Police  
5           Department.

6           2. The sum of Five Hundred Thousand Dollars (\$500,000.00) is  
7           appropriated from the General Fund for the sole purpose of  
8           acquiring equipment and the necessary support needed to allow  
9           these five (5) additional officers and the current drug prevention  
10           staff at the Guam Police Department to do their work.

11           c. GPD K-9 Unit. The sum of One Million Dollars (\$1,000,000.00) is  
12           appropriated from the General Fund for the sole purpose of  
13           acquiring canine detection dogs and their support staff and facilities.  
14           This K-9 Unit shall be utilized by the Guam Police Department for  
15           the interdiction of crystal methamphetamine and other drugs on  
16           island.

17           § 77A008. Severability. If any provision of this Act or its application to any  
18           person or circumstance is found to be invalid or inorganic, such invalidity shall not  
19           affect other provisions or applications of this Act that can be given effect without  
20           the invalid provision or application, and to this end the provisions of this Act are  
21           severable.”

22           **Section 2. Effective Date.** This Act shall be effective upon enactment.