

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

| BILL NO.    | SPONSOR         | TITLE  | DATE INTRODUCED       | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|-------------|-----------------|--|-----------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 103-35 (LS) | James C. Moylan | AN ACT TO AMEND §77302(a) OF CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE CHIEF OF POLICE'S AUTHORIZATION TO RECRUIT VOLUNTEERS TO ASSIST IN ENFORCING ACCESSIBLE PARKING AND LITTERING LAWS AND THE NATASHA PROTECTION ACT OF 2005. | 4/23/19<br>12:01 p.m. |               |               |                     |                             |              |       |

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**2019 (FIRST) Regular Session**

Bill No. 163-35 (LS)

Introduced by:

James C. Moylan 

**AN ACT TO AMEND §77302(a) OF CHAPTER 77, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO THE CHIEF OF POLICE'S AUTHORIZATION TO RECRUIT VOLUNTEERS TO ASSIST IN ENFORCING ACCESSIBLE PARKING AND LITTERING LAWS AND THE NATASHA PROTECTION ACT OF 2005.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds that the Chief of Police's authorization to recruit volunteers for specific tasks has existed in Guam's mandates since 2012. These tasks have included the assistance in enforcing the island's littering and accessible parking laws, along with the Natasha Protection Act of 2005. With the rising concerns of littering on Guam, along with the need to reallocate resources to other aspects of public safety, it would be beneficial for the Chief of Police to seek out volunteers in the community who would be willing to assist as a means of public service. The Chief may consider reaching out to the rising number of Neighborhood Watch Programs to recruit such volunteers.

The objective of this program is not necessarily to raise revenue through penalties, but deter violators of such acts. It is further recommended that such volunteers be vetted, trained, certified and adequately prepared for their role.

2019 APR 23 PM 12:01 Y

Volunteers should also be clearly identified with some documentation or identification specifying their authorization and term.

Lastly, §77302(a) also contains language providing volunteers the ability to patrol school campuses during non-school hours. Because of the risk factors associated with such activity, along with potential liabilities that may exist, it may be in the best interest of the community to eliminate this authority under this Article. This is an activity that would be best pursued by armed professionals, and something for *I Liheslaturan Guahan* to explore additional options for.

**Section 2.** §77302(a) of Chapter 77, Title 10, Guam Code Annotated is hereby *amended* to read as follows:

**§ 77302. Volunteers.**

For purposes of this sub-section a ‘volunteer’ shall be defined as a person who voluntarily offers himself or herself for a service or undertaking willingly and without pay.

(a) Pursuant to § 3401.1(h) of Article 4, Chapter 3 of Title 16, Guam Code Annotated, the Chief of Police is authorized to recruit volunteers from the community to assist the Guam Police Department in the enforcement of the accessible parking and littering laws, and the Natasha Protection Act of 2005 relative to the regulation of smoking activities pursuant to Chapter 90 of Title 10, Guam Code Annotated. ~~In addition to these duties, the Chief of Police shall authorize the use of volunteers to patrol the school campuses of the Guam Department of Education during non-school hours. The volunteers shall take no enforcement action during their patrol of the school campuses, and shall notify the police of suspicious activity or crimes in progress. The Superintendent of Education shall cooperate with the Chief of Police to implement this Section.~~ Any volunteers recruited by the Chief of Police (hereinafter referred to as *the Chief* in this subsection), pursuant to this

subsection, shall be required to clear a back ground check established by the Chief, complete a course of instruction and training, including any other certifications mandated by public law. An authorized volunteer's term shall exist for one (1) year, and can be renewed by the Chief for the subsequent year. The volunteer shall be issued a document or identification specifying their recruitment and term of their authorization. The Chief can terminate the authorization at any time without any justification. The volunteer shall not receive any compensation for their role, and shall not have the same benefits provided to police reservists or volunteers identified in this chapter.

**Section 3. Severability.** If any provision of this Act or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

**Section 4. Effective Date.** The Act shall become effective upon enactment.