

I Mina'trentai Ocho 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
158-38 (COR)	V. Anthony Ada Christopher M. Dueñas Jesse A. Lujan Chris Barnett Joe S. San Agustin Tina Rose Muña Barnes Shelly V. Calvo	AN ACT TO <i>ADD</i> A NEW § 77108 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202, RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.	6/26/25 12:25 p.m.	7/7/25	Committee on Public Safety, Emergency Management, and Guam National Guard.	Request: 7/7/25 7/15/25	7/24/25 8:30 a.m.	8/29/25 As Amended.	



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

August 25, 2025

The Honorable Frank F. Blas, Jr.

Speaker

I Mina'trentai Ocho na Liheslaturan Guåhan

163 Chalan Santo Papa

Hagåtña, Guam 96910

VIA: The Honorable V. Anthony Ada 
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 158-38 (COR), As Amended by the Committee on Public Safety, Emergency Management, and Guam National Guard

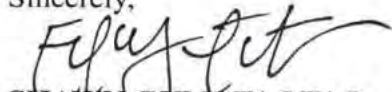
Håfa Adai Speaker Blas:

Transmitted herewith is the Committee Report on Bill No. 158-38 (COR) - As Amended by the Committee on Public Safety, Emergency Management, and Guam National Guard – **“AN ACT TO ADD A NEW § 77108 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202, RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.”**

Committee votes are as follows:

4 TO DO PASS
 TO NOT PASS
1 TO REPORT OUT ONLY
 TO ABSTAIN
 TO PLACE IN INACTIVE FILE

Sincerely,



SHAWN GUMATAOTAO

Chairman

Committee on Public Safety, Emergency Management, and Guam National Guard



COMMITTEE ON RULES

RECEIVED:

August 25, 2025 12:20 p.m.

Marie Crisostomo



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guahan*

COMMITTEE REPORT

Bill No. 158-38 (COR), AS AMENDED BY THE COMMITTEE ON PUBLIC SAFETY, EMERGENCY MANAGEMENT, AND GUAM NATIONAL GUARD, V. ANTHONY ADA: "AN ACT TO ADD A NEW § 77108 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202, RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY."



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | I Mina'trentai Ocho Na Liheslaturan Guahan

08/25/2025

MEMORANDUM

To: Members of the Committee on Public Safety, Emergency Management, and Guam National Guard

From: Chairman Shawn Gumataotao

Subject: Committee Report on Bill No. 158-38 (COR), As Amended by the Committee on Public Safety, Emergency Management, and Guam National Guard

Håfa Adai:

Transmitted herewith for your consideration is the Committee Report on Bill No. 158-38 (COR) - As Amended by the Committee on Public Safety, Emergency Management, and Guam National Guard - **AN ACT TO ADD A NEW § 77108 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202, RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.**

This report includes the following:

- Copy of COR Referral of Bill No. 158-38 (COR);
- Notices of Public Hearing;
- Copy of the Public Hearing Agenda;
- Public Hearing Sign-in Sheets;
- Copies of Submitted Written Testimony;
- Committee Vote Sheet;
- Committee Report Digest;
- Copy of Bill No. 158-38 (COR), As Introduced;
- Copy of Bill No. 158-38 (COR), As Amended by the Committee;
- Copy of Bill No. 158-38 (COR), As Amended by the Committee (Markup); and,
- Fiscal Note/Fiscal Note Waiver.
- Miscellaneous Documents

Please take the appropriate action on the attached vote sheet.

Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

SHAWN GUMATAOTAO
Chairman

Committee on Public Safety, Emergency Management, and Guam National Guard



COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

July 3, 2025

To: Rennae V. C. Meno
Clerk of the Legislature

Attorney Darleen Hiton
Legislative Legal Counsel

From: Vice Speaker V. Anthony Ada 
Chairperson, Committee on Rules

Subject: Referral of Bill No. 158-38 (COR)

Håfa Adai,

As per my authority as Chairperson of the Committee on Rules and subject to §6.01(d)(1), Rule VI of our Standing Rules, I am forwarding the referral of **Bill No. 158-38 (COR)** – V. Anthony Ada, Christopher M. Dueñas, Jesse A. Lujan, Chris Barnett, Joe S. San Agustin, Tina Rose Muña Barnes, Shelly V. Calvo. – “AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.”

Please ensure that the subject bill is referred to the Committee on Public Safety, Emergency Management, and Guam National Guard chaired by Senator Eulogio Shawn Gumataotao. I also request that the same be copied to the Prime Sponsor of the subject bill and to Management Information Services (MIS) for posting on our website.

A copy of the bill is available on our legislative website.

Should you have any questions or concerns, please feel free to contact Kamarin Nelson, Committee on Rules Director at 671-472-2461.





Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

First Notice of Public Hearing - Thursday, July 24, 2025, beginning at 8:30 a.m.

3 messages

Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Wed, Jul 16, 2025 at 8:00 AM

To: phnotice@guamlegislature.gov
Bcc: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>, "vicespeakertonyada@guamlegislature.gov" <vicespeakertonyada@guamlegislature.gov>, "office.senatorbri@guamlegislature.gov" <office.senatorbri@guamlegislature.gov>, "senator.duenas@guamlegislature.gov" <senator.duenas@guamlegislature.gov>, Jesse Lujan <senator.lujan@guamlegislature.gov>, "officeofsenatorshellycalvo@guamlegislature.gov" <officeofsenatorshellycalvo@guamlegislature.gov>, "senatortelot@gmail.com" <senatortelot@gmail.com>, Office of Senator Borja <contact@senatorvinceborja.com>, Senator Vince Borja <vince.borja@guamlegislature.gov>, "senatorjoessanagustin@gmail.com" <senatorjoessanagustin@gmail.com>, "malafunkshun@guamlegislature.gov" <malafunkshun@guamlegislature.gov>, "senator.perez@guamlegislature.gov" <senator.perez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, "senator.parkinson@guamlegislature.gov" <senator.parkinson@guamlegislature.gov>, "senatorterlajeguam@gmail.com" <senatorterlajeguam@gmail.com>, Joann Camacho <joann.camacho@guamlegislature.gov>, Guam Legislature Clerks <clerks@guamlegislature.gov>, Legislative Counsel <legislativecounsel@guamlegislature.gov>, Ed Pocaigue <sgtarms@guamlegislature.gov>, news@guampdn.com, publisher@glimpsesofofguam.com, publisher@pacificislandtimes.com, reporters@postguam.com, newsdirector@kuam.com, reporters@kuam.com, Troy Torres <troy@kanditnews.com>, news@kanditnews.com, raygibsonradio@gmail.com, context@pasquines.us, guamwebsites@gmail.com, managingeditor@glimpsesofofguam.com, editor@glimpsesofofguam.com, reporter2@glimpsesofofguam.com, kyle@power98.com, patti@thewave105.com, dice@power98.com, reese@power98.com, marc@postguam.com, fparedes@edisonresearch.com, dick.sheffield@abc.com, ready@guamwebz.com, thomas.manglona@marianaspress.com, local@bayareanewsgroup.com, local@bakersfield.com, runner@csu.edu, jimk@ebpublishing.com, tritonscalluog@gmail.com, nestor@postguam.com

FOR IMMEDIATE RELEASE

July 16, 2025

MEMORANDUM

To: **All Senators, Stakeholders, Media**

From: **Senator Shawn Gumataotao**
Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard

Subject: **First Notice of Public Hearing – Thursday, July 24, 2025, beginning at 8:30 a.m.**

Buenas yan Håfa adai! Please be advised that the Committee on Public Safety, Emergency Management, and Guam National Guard (Committee) will conduct a Public Hearing on **Thursday, July 24, 2025, beginning at 8:30 a.m.** in the Public Hearing Room of the Guam Congress Building in *Hagåtña*. The agenda includes the following discussion item:

- **Bill No. 158-38 (COR)** by Vice-Speaker V. Anthony Ada and Senators Christopher Duenas, Jesse Lujan, Chris Barnett, Joe San Agustin, Tina Muna Barnes, and Shelly Calvo: **AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.**

Watch Live

The Public Hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117 and stream online via *I Liheslaturan Guåhan's* live feed. A recording of the hearing will be available online via Guam Legislature

Media on YouTube after the hearing.

How to Participate

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Shawn Gumataotao at (671) 647-1409/1411 or via email at office.senatorshawn@guamlegislature.gov no later than Wednesday, July 23, 2025, for further guidance.

If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the hearing date and they should be addressed to Senator Shawn Gumataotao, Chairman of the Committee. Testimonies may be submitted via Senator Gumataotao's mailbox located at the Guam Congress Building in *Hagåtña* or via email to the Office of Senator Shawn Gumataotao.

Special Accommodations

Individuals requiring special accommodations, auxiliary aids or services are asked to submit their request to Ms. Diana Topasna at the Office of Senator Shawn Gumataotao at (671) 647-1409/1411, 120 Father Duenas Avenue Capitol Plaza Building, Suite 103, *Hagåtña*, Guam 96910, or via email at office.senatorshawn@guamlegislature.gov. *Si Yu'os Ma'åse'!*

Office of Senator Eulogio Shawn Gumataotao
Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard
38th Guam Legislature
120 Father Duenas Avenue Capitol Plaza Building, Suite 103, *Hagåtña*, Guam 96910
(671) 647-1409/1411

2 attachments

 **Bill No. 158-38 (COR).pdf**
1521K

 **7.24.25 First Notice of Public Hearing-Thursday, July 24, 2025.pdf**
47K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Wed, Jul 16, 2025 at 8:06 AM

Hafa Adai,

Posted on calendar.

[Quoted text hidden]



Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentaf Ocho Na Liheslaturan Guåhan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910

 1-671-969-3514

 sgtarms@guamlegislature.gov

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Guam Legislature Clerks <clerks@guamlegislature.gov>

Wed, Jul 16, 2025 at 11:09 AM

To: Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Håfa Adai,
Received, and thank you.



Elijah Untalan
Clerks Office

I Mina'trentai Ocho na Liheslaturan Guåhan

Guam Congress Building, 163 Chalan Santo Papa, *Hagåtña*, Guam 96910

Voice: (671) 472-3465/3460 Fax: (671) 472-3524

guamlegislature.gov

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Thank you

From: Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Sent: Wednesday, July 16, 2025 8:00 AM

To: phnotice@guamlegislature.gov <phnotice@guamlegislature.gov>

Subject: First Notice of Public Hearing - Thursday, July 24, 2025, beginning at 8:30 a.m.

[Quoted text hidden]



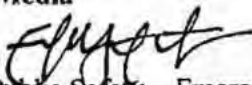
OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

July 16, 2025

MEMORANDUM

To: **All Senators, Stakeholders, Media**

From: **Senator Shawn Gumataotao** 
Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard

Subject: **First Notice of Public Hearing – Thursday, July 24, 2025, beginning at 8:30 a.m.**

Buenas yan Häfa adai! Please be advised that the Committee on Public Safety, Emergency Management, and Guam National Guard (Committee) will conduct a Public Hearing on **Thursday, July 24, 2025, beginning at 8:30 a.m.** in the Public Hearing Room of the Guam Congress Building in *Hagåtña*. The agenda includes the following discussion item:

- **Bill No. 158-38 (COR)** by Vice-Speaker V. Anthony Ada and Senators Christopher Duenas, Jesse Lujan, Chris Barnett, Joe San Agustin, Tina Muna Barnes, and Shelly Calvo: **AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.**

Watch Live

The Public Hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117 and stream online via *I Liheslaturan Guåhan's* live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

How to Participate

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Shawn Gumataotao at (671) 647-1409/1411 or via email at office.senatorshawn@guamlegislature.gov no later than Wednesday, July 23, 2025, for further guidance.

If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the hearing date and they should be addressed to Senator Shawn Gumataotao, Chairman of the Committee. Testimonies may be submitted via Senator Gumataotao's mailbox located at the Guam Congress Building in *Hagåtña* or via email to the Office of Senator Shawn Gumataotao.

Special Accommodations

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First Notice of Public Hearing - Thursday, July 24, 2025 beginning at 8:30 am

 PRINT

First Notice of Public Hearing - Thursday, July 24, 2025 beginning at 8:30 am

PUBLIC HEARING



 **Posted on:** 07/16/2025 08:44 AM

 **Posted by:** Diana Topasna

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR SHAWN GUMATAOTAO (/notices?division_id=294)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

 **Share this notice**

July 16, 2025

MEMORANDUM

To: All Senators, Stakeholders, Media

From: Senator Shawn Gumataotao
Chairman, Committee on Public Safety, Emergency
Management, and Guam National Guard

**Subject: First Notice of Public Hearing – Thursday, July 24,
2025, beginning at 8:30 a.m.**

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Bill No. 158-38 (COR)

([https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20158-38%20\(COR\).pdf](https://guamlegislature.gov/38th_Guam_Legislature/Bills_Introduced_38th/Bill%20No.%20158-38%20(COR).pdf)) by Vice-Speaker V. Anthony Ada and Senators Christopher Duenas, Jesse Lujan, Chris Barnett, Joe San Agustin, Tina Muna Barnes, and Shelly Calvo: **AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.**

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If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the hearing date and they should be addressed to Senator Shawn Gumataotao, Chairman of the Committee. Testimonies may be submitted via Senator Gumataotao's mailbox located at the Guam Congress Building in *Hagåtña* or via email to the Office of Senator Shawn Gumataotao.

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INTER-ISLAND COMMUNICATIONS INC.
1868 HALSEY DR.
HAGATNA, GU 96910
(671) 477-7108/9448

KSTO Invoice

Invoice ID: 25070006
Invoice Date: 7/22/2025
Account ID: 0734
Order ID: 0734-005
Account Rep: Sandy Cruz

Amount Due: \$100.00

Amount Paid: _____

OFFICE OF SENATOR SHAWN GUMATAOTAO

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Sponsor: Office of Senator Shawn Gumataotao / Office of Senator Shawn Gumataotao-
Radio Ad PH July 24

Page 1

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7/16/2025	02:18 PM	:60	Spot	PH LIVE READ JUL 16 AND J	[Package]
7/22/2025	08:03 AM	:60	Spot	PH LIVE READ JUL 16 AND J	[Package]
7/22/2025	05:31 PM	:60	Spot	PH LIVE READ JUL 16 AND J	[Package]
7/22/2025			Package		100.00
4 Total Items				Total Cost:	100.00

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Advertiser: Office of Senator Shawn Gumataotao
Co-Op:
ScriptID: PH LIVE READ JUL 16 AND JUL 22
Length: :60

"The following is a Guam Open Government Law Announcement.

The Legislative Committee on Public Safety, Emergency Management, and Guam National Guard will hold a Public Hearing on Thursday, July 24, 2025, at 8:30 am in the Public Hearing Room of the Guam Congress Building in Hagatna.

The agenda includes Bill 158-38 (COR), which is AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

Individuals requiring assistance or special accommodations to participate in the public hearing should contact the Office of Senator Shawn Gumataotao at 671-647-1409/1411 or via email at office.senatorshawn@guamlegislature.gov.

The preceding was an open Government Law Announcement

Station Documentation Statement

This announcement was broadcast 4 times, as entered in the station's program log. The times this announcement was broadcast were billed to this station's client on our invoice number 25070006 dated 7/22/2025 at his earned rate of:

25.00 each for 4 announcements, for a to	\$100.00
For a total of 4 announcements for a tot	\$100.00

Station Official Signature



Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Second Notice of Public Hearing – Thursday, July 24, 2025, beginning at 8:30 a.m.

2 messages

Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Tue, Jul 22, 2025 at 8:09 AM

To: phnotice@guamlegislature.gov
Bcc: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>, "vicespeakertonyada@guamlegislature.gov" <vicespeakertonyada@guamlegislature.gov>, "office.senatorbri@guamlegislature.gov" <office.senatorbri@guamlegislature.gov>, "senator.duenas@guamlegislature.gov" <senator.duenas@guamlegislature.gov>, Jesse Lujan <senator.lujan@guamlegislature.gov>, "officeofsenatorshellycalvo@guamlegislature.gov" <officeofsenatorshellycalvo@guamlegislature.gov>, "senatortelot@gmail.com" <senatortelot@gmail.com>, Office of Senator Borja <contact@senatorvinceborja.com>, Senator Vince Borja <vince.borja@guamlegislature.gov>, "senatorjoessanagustin@gmail.com" <senatorjoessanagustin@gmail.com>, "malafunkshun@guamlegislature.gov" <malafunkshun@guamlegislature.gov>, "senator.perez@guamlegislature.gov" <senator.perez@guamlegislature.gov>, Senator Tina Muna Barnes <senator.munabarnes@guamlegislature.gov>, "senator.parkinson@guamlegislature.gov" <senator.parkinson@guamlegislature.gov>, "senatorterlajeguam@gmail.com" <senatorterlajeguam@gmail.com>, Joann Camacho <joann.camacho@guamlegislature.gov>, Guam Legislature Clerks <clerks@guamlegislature.gov>, Legislative Counsel <legislativecounsel@guamlegislature.gov>, Ed Pocaigue <sgtarms@guamlegislature.gov>, news@guampdn.com, publisher@glimpsesofiguam.com, publisher@pacificislandtimes.com, reporters@postguam.com, newsdirector@kuam.com, reporters@kuam.com, Troy Torres <troy@kanditnews.com>, news@kanditnews.com, raygibsonradio@gmail.com, context@pasquines.us, guamwebsites@gmail.com, managingeditor@glimpsesofiguam.com, editor@glimpsesofiguam.com, reporter2@glimpsesofiguam.com, kyle@power98.com, patti@thewave105.com, dice@power98.com, reese@power98.com, marc@postguam.com, fparedes@edisonresearch.com, dick.sheffield@abc.com, ready@guamwebz.com, thomas.manglona@marianaspress.com, local@bayareanewsgroup.com, local@bakersfield.com, runner@csub.edu, jimk@ebpublishing.com, tritonscalluog@gmail.com, nestor@postguam.com

July 22, 2025

MEMORANDUM

To: **All Senators, Stakeholders, Media**

From: **Senator Shawn Gumataotao**
Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard

Subject: **Second Notice of Public Hearing – Thursday, July 24, 2025, beginning at 8:30 a.m.**

Buenas yan Håfa adai! Please be advised that the Committee on Public Safety, Emergency Management, and Guam National Guard (Committee) will conduct a Public Hearing on **Thursday, July 24, 2025, beginning at 8:30 a.m.** in the Public Hearing Room of the Guam Congress Building in *Hagåtña*. The agenda includes the following discussion item:

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--

Office of Senator Eulogio Shawn Gumataotao
Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard
38th Guam Legislature
120 Father Duenas Avenue Capitol Plaza Building, Suite 103, Hagåtña, Guam 96910
(671) 647-1409/1411

2 attachments

 **7.22.25 Second Notice of July 24, 2025 Public Hearing - Bill 158.pdf**
48K

 **Bill No. 158-38 (COR).pdf**
1521K

Ed Pocaigue <sgtarms@guamlegislature.gov>
To: Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Tue, Jul 22, 2025 at 8:14 AM

Hafa Adai,

Second notice updated

[Quoted text hidden]

--



Edward S. Pocaigue, Jr.
Sergeant-at-Arms

I Mina'trentai Ocho Na Liheslaturan Guåhan
Guam Congress Building, 1st Floor
163 Chalan Santo Papa
Hagåtña, Guam 96910

 1-671-969-3514

 sgtarms@guamlegislature.gov

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OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

July 22, 2025

MEMORANDUM

To: **All Senators, Stakeholders, Media**

From: **Senator Shawn Gumataotao** 
Chairman, Committee on Public Safety, Emergency Management, and Guam National Guard

Subject: **Second Notice of Public Hearing – Thursday, July 24, 2025, beginning at 8:30 a.m.**

Buenas yan Håfa adai! Please be advised that the Committee on Public Safety, Emergency Management, and Guam National Guard (Committee) will conduct a Public Hearing on **Thursday, July 24, 2025, beginning at 8:30 a.m.** in the Public Hearing Room of the Guam Congress Building in *Hagåtña*. The agenda includes the following discussion item:

- **Bill No. 158-38 (COR)** by Vice-Speaker V. Anthony Ada and Senators Christopher Duenas, Jesse Lujan, Chris Barnett, Joe San Agustin, Tina Muna Barnes, and Shelly Calvo: **AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.**

Watch Live

The Public Hearing will broadcast on local television, GTA Channel 21, Docomo Channel 117 and stream online via *I Liheslaturan Guåhan's* live feed. A recording of the hearing will be available online via Guam Legislature Media on YouTube after the hearing.

How to Participate

If you are interested in participating in the Public Hearing to provide testimony, please contact the Office of Senator Shawn Gumataotao at (671) 647-1409/1411 or via email at office.senatorshawn@guamlegislature.gov no later than Wednesday, July 23, 2025, for further guidance.

If written testimonies are to be presented at the Public Hearing, the Committee requests that copies be submitted prior to the hearing date and they should be addressed to Senator Shawn Gumataotao, Chairman of the Committee. Testimonies may be submitted via Senator Gumataotao's mailbox located at the Guam Congress Building in *Hagåtña* or via email to the Office of Senator Shawn Gumataotao.

Special Accommodations

Individuals requiring special accommodations, auxiliary aids or services are asked to submit their request to Ms. Diana Topasna at the Office of Senator Shawn Gumataotao at (671) 647-1409/1411, 120 Father Duenas Avenue Capitol Plaza Building, Suite 103, *Hagåtña*, Guam 96910, or via email at office.senatorshawn@guamlegislature.gov. *Si Yu'os Ma'åse'!*

120 Father Duenas Avenue, Capitol Plaza Building, Suite 103, *Hagåtña*, Guam 96910
Phone: (671) 647-1409, (671) 647-1411 • email: office.senatorshawn@guamlegislature.gov

Second Notice of Public Hearing

Second Notice of Public Hearing

PUBLIC HEARING

 **Posted on:** 07/22/2025 08:30 AM

 **Posted by:** Diana Topasna

 **Public Hearing Date:** 07/24/2025 08:30 AM

 **Department(s):**
GUAM LEGISLATURE (/notices?department_id=92)

 **Division(s):**
OFFICE OF SENATOR SHAWN GUMATAOTAO (/notices?division_id=294)

 **Notice Topic(s):** PUBLIC HEARING (/notices?topic_id=74)

 **Types of Notice:** PUBLIC HEARING (/notices?type_id=7)

 **For Audience(s):** PUBLIC (/notices?public=1)

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July 22, 2025

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Chairman, Committee on Public Safety, Emergency
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Bill No. 158-38 (COR)
([https://guamlegislature.gov/38th Guam Legislature/Bills I
ntroduced 38th/Bill%20No.%20158-38%20\(COR\).pdf](https://guamlegislature.gov/38th%20Guam%20Legislature/Bills%20Introduced%2038th/Bill%20No.%20158-38%20(COR).pdf)) by
Vice-Speaker V. Anthony Ada and Senators Christopher Duenas,
Jesse Lujan, Chris Barnett, Joe San Agustin, Tina Muna Barnes,
and Shelly Calvo: **AN ACT TO ADD A NEW § 77108 TO
CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF
PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE
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Order ID: 0734-005
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Page 1

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7/16/2025	07:03 AM	:60	Spot	PH LIVE READ JUL 16 AND J	[Package]
7/16/2025	02:18 PM	:60	Spot	PH LIVE READ JUL 16 AND J	[Package]
7/22/2025	08:03 AM	:60	Spot	PH LIVE READ JUL 16 AND J	[Package]
7/22/2025	05:31 PM	:60	Spot	PH LIVE READ JUL 16 AND J	[Package]
7/22/2025			Package		100.00
4 Total Items				Total Cost:	100.00

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Co-Op:
ScriptID: PH LIVE READ JUL 16 AND JUL 22
Length: :60

"The following is a Guam Open Government Law Announcement.

The Legislative Committee on Public Safety, Emergency Management, and Guam National Guard will hold a Public Hearing on Thursday, July 24, 2025, at 8:30 am in the Public Hearing Room of the Guam Congress Building in Hagatna.

The agenda includes Bill 158-38 (COR), which is AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

Individuals requiring assistance or special accommodations to participate in the public hearing should contact the Office of Senator Shawn Gumataotao at 671-647-1409/1411 or via email at office.senatorshawn@guamlegislature.gov.

The preceding was an open Government Law Announcement

Station Documentation Statement

This announcement was broadcast 4 times, as entered in the station's program log. The times this announcement was broadcast were billed to this station's client on our invoice number 25070007 dated 7/22/2025 at his earned rate of:

25.00 each for 4 announcements, for a to \$100.00
For a total of 4 announcements for a tot \$100.00

Station Official Signature



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

July 16, 2025

The Honorable Douglas B. Moylan
Attorney General
Office of the Attorney General of Guam
Sent via: administration@oagguam.org

Subject: Public Hearing on Bill No. 158-38 (COR)

Håfa adai General Moylan,

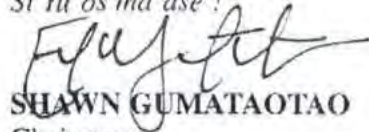
Please be informed that a public hearing on the bill referenced above is scheduled for Thursday, July 24, 2025, at 8:30 a.m. in the Public Hearing Room of the Guam Congress Building in Hagåtña.

The Notice of Public Hearing and a copy of the bill by Vice-Speaker V. Anthony Ada, which is "**AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY**", are attached to this letter for your easy reference.

The Committee on Public Safety, Emergency Management, and Guam National Guard invites you to participate in the public hearing.

Please contact my office at the number provided below or via email at office.senatorshawn@guamlegislature.gov should you have any questions.

Si Yu'os ma'åse'!



SHAWN GUMATAOTAO
Chairman

Committee on Public Safety, Emergency Management, and Guam National Guard

Attachments: Notice of 7.24.25 Public Hearing
Bill No. 158-38 (COR)



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

July 16, 2025

Mr. Stephen Ignacio
Chief of Police
Guam Police Department
Sent via: chief@gpd.guam.gov
stephen.ignacio@gpd.guam.gov

Subject: Public Hearing on Bill No. 158-38 (COR)

Håfa adai Chief Ignacio,

Please be informed that a public hearing on the bill referenced above is scheduled for Thursday, July 24, 2025, at 8:30 a.m. in the Public Hearing Room of the Guam Congress Building in Hagåtña.

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Si Yu'os ma'åse'!

SHAWN GUMATAOTAO
Chairman

Committee on Public Safety, Emergency Management, and Guam National Guard

Attachments: Notice of 7.24.25 Public Hearing
Bill No. 158-38 (COR)



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guahan*

Committee on Public Safety, Emergency Management, and Guam National Guard

Public Hearing
Public Hearing Room, Guam Congress Building
Thursday, July 24, 2025, 8:30 a.m.

Agenda

- I. Call to Order**
- II. Opening Remarks/Housekeeping**
- III. Public Comment Section:**

Bill No. 158-38 (COR) - Vice-Speaker V. Anthony Ada

AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

- IV. Question -and -Answer Section**
- V. Closing Remarks**
- VI. Adjournment**



Office of Senator

SENATOR EULOGIO SHAWN GUMATAOTAO

Chairman

Committee on Public Safety, Emergency Management, and Guam National Guard

I Mina'trentai Ocho na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING

Bill No. 158-38 (COR)

AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

Thursday, July 24, 2025, at 8:30 a.m.

Public Hearing Room, Guam Congress Building

SIGN-IN SHEET

NAME	AGENCY OR ORGANIZATION (IF ANY)	Please indicate with ✓		Contact Number	Email Address	Support	Oppose
		Written	Oral				
Lt. Felix Camacho	Guam Police				Felix.Camacho@gpd.guam.gov ✓		
CPT Troy Lizama	" "				troy.lizama@gpd.guam.gov ✓		
CPT Paul Sayam	" "				paul.sayam@gpd.guam.gov ✓		
LT. EUGENE CHARFAURUS	" "				eugene.charfaurus@gpd.guam.gov ✓		
Sgt Mike Elliott	GPD					✓	
Steve Ignacio	GPD	/	/				
Douglas Maylan	GPD	/	/				/
WIL Stamps	OAG			OAG	Wstamps@oag.guam.org		



Office of Senator

SENATOR EULOGIO SHAWN GUMATAOTAO

Chairman

Committee on Public Safety, Emergency Management, and Guam National Guard

I Mina'trentai Ocho na Liheslaturan Guåhan • 38th Guam Legislature

PUBLIC HEARING

Bill No. 158-38 (COR)

AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

Thursday, July 24, 2025, at 8:30 a.m.

Public Hearing Room, Guam Congress Building

SIGN-IN SHEET

NAME	AGENCY OR ORGANIZATION (IF ANY)	Please indicate with ✓		Contact Number	Email Address	Support	Oppose
		Written	Oral				
JASON AGUON	GPD				jason.aguon@gpd.guam.gov ✓		
LeRoy P. Leon Guerrero	GPD				leoy.leonguerrero@gpd.guam.gov		
AUSTIN FORTUÑO	AG's Office				afortuno@agsguam.org		
LMUNSE	AGD				lmiller@agsguam.org		
GOMTAO A. GOMTAO	AG				sgomtao@agsguam.org		



LOURDES A. LEON GUERRERO
Governor

JOSHUA F. TENORIO
Lieutenant Governor

GUAM POLICE DEPARTMENT

DIPATTAMENTON POLISIAN GUAHAN

Government of Guam

Bldg. 13-16A Mariner Avenue, Tiyan

Barrigada, Guam 96913-1616

P.O. Box 23909 Guam Main Facility 96921-3909

Telephone: (671) 475-8473 (Switchboard); (671) 475-8508 / 8509 / 8512

Fax: (671) 475-3222



STEPHEN C. IGNACIO
Chief of Police

COL. JOSEPH S. CARBULLIDO
Police Commander

July 17, 2025

The Honorable Senator Eulogio Shawn Gumataotao,
Chairperson, Committee on Public Safety, Emergency
Management, and Guam National Guard

I Mina' Trentai Ocho Na Liheslaturan Guahhan

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

Email: office.senatorshawn@guamlegislature.gov

Subject: **Written Testimony**
RE: **Bill No. 158-38 (COR)**

Dear Senator Gumataotao and Committee Members:

Buenas yan Hafa Adai, and thank you, for the opportunity to submit testimony in strong support of Bill No. 158-38 (COR), "AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY."

I am Stephen C. Ignacio, Chief of Police for the Guam Police Department. I am submitting this testimony.

First and foremost, I want to express our sincere appreciation to the Public Safety Committee for their continued support and collaboration. Your partnership is essential for maintaining the level of public safety services that our island community expects and deserves, while also promoting operational efficiency and fiscal accountability.

The Guam Police Department is the primary agency responsible for enforcing the laws of Guam every day. However, we operate without dedicated in-house legal support. As legal issues related to policing become increasingly complex, urgent, and subject to public and judicial scrutiny, our department must rely on external legal services. Unfortunately, these services are not always readily available or integrated into our department's structure. This has resulted in critical gaps in access to timely, mission-specific legal guidance.

The Guam Police Department (GPD) once maintained its own in-house legal counsel, a resource that provided direct, timely, and department-specific legal guidance. However, this capability was removed with the passage of Public Law 30-202. A review of legislative records and public testimony indicates that GPD leadership at the time strongly opposed this measure.

The rationale for the bill, as outlined by its author, centered on three main concerns:

- A shortage of attorneys within the Office of the Attorney General (OAG), which the bill aimed to help address;
- Reports—all unverified—of GPD employees not being able to reach the legal counsel;
- The absence of a submitted “workload output” report from GPD’s legal office, covering an undefined time frame.

During the public hearing for the bill, GPD Legal Counsel Mr. James Mitchell presented a summary of the volume and complexity of cases he handled. He explained that the requested workload report was not submitted due to the sheer volume of legal work he was managing alone. Then-Chief of Police Paul Suba, along with former Chief Frank Ishizaki, both testified in opposition to the bill, underscoring the critical role legal counsel played in managing risk, ensuring procedural compliance, and protecting the department from legal exposure.

Despite these objections, Public Law 30-202 was enacted. In the years since, GPD has faced significant challenges in obtaining consistent, responsive legal guidance. As the department’s operational complexity, community engagement, and legal liabilities have increased, so too has the need for reliable legal counsel tailored to law enforcement operations.

Reconsidering the restoration of in-house legal support for GPD is not simply a return to the past—it is a strategic step toward ensuring accountability, efficiency, and legal compliance in an increasingly demanding public safety environment.

Why Bill No. 158-38 (COR) is Critically Needed:

1. Restoring a Necessary Function

This bill aims to address the unintended consequences of revoking GPD's authority to retain in-house legal counsel. The need for such support has not diminished; in fact, it has increased. As law enforcement becomes more regulated and legally complex, GPD must be equipped with professional legal support that is available daily, understands our operational realities, and is directly accountable to the department's leadership.

2. Timely and Reliable Legal Support for Law Enforcement Decisions

Legal issues related to police work, ranging from arrests and search warrants to policy compliance, labor matters, and civil litigation, require immediate attention. Without internal legal counsel, GPD often experiences delays while waiting for assistance from external sources, which can lead to procedural errors, uncertainty for officers, and increased potential liability. Having an in-house staff attorney ensures real-time legal review, risk mitigation, and better-informed operational decisions.

3. Reducing the Legal Burden on Non-Legal Personnel

Currently, personnel at the Guam Police Department (GPD), many of whom are uniformed officers, are tasked with drafting legal responses, interpreting legal documents, and engaging in legal correspondence with courts, the Civil Service Commission, and attorneys. This approach is inefficient and unsustainable, as it diverts sworn officers from their primary responsibilities. Hiring an in-house attorney would centralize and professionalize these legal functions, allowing command and frontline officers to concentrate on public safety.

4. Strengthening Policy, Training, and Accountability

In-house legal counsel will not only address reactive legal issues but will also proactively assist in developing and reviewing policies, providing legal training, and ensuring compliance with local and federal mandates, including the Freedom of Information Act (FOIA), Brady/Giglio disclosure rules, and labor laws. This role is essential for maintaining professionalism, transparency, and lawful operations in modern policing.

Since January 2023 to date our Legal Affairs Section, which is staffed by a sworn police officer has had to process the following:

Procurements Processed: 697
Giglio/Brady Requests: 26
Civil Service Commission Cases: 11
Internal Affairs Cases: 270
Active Lawsuits: 2
Total Lawsuits (Past 3 years): 4
Freedom of Information Act Requests: 81
Memorandum of Agreement/Understanding (MOA/MOU): 22
Pending Legal Opinions Sent to the AG's Office: 2

FISCAL NOTE

In accordance with §§ 9102–9103 of Chapter 9, Title 2 of the Guam Code Annotated (GCA), the Guam Police Department has prepared the following fiscal note to outline the estimated costs associated with implementing the authority granted by this bill. The department confirms that there is currently no funding available in its FY budget to cover these costs.

Estimated Fiscal Impact for Attorney IV Position

Cost Category	Amount
1. Salary (Attorney IV)	\$93,967.00
2. Fringe Benefits (32.22% x salary)	\$30,276.16
Total Personnel Cost	\$124,243.16
3. Equipment & Supplies (Laptop, Desk, Chair, Printer, Toners, Fuel)	\$8,500.00
4. Office Space (\$750/per month x 12 months)	\$9,000.00
5. Vehicle	\$43,500.00
6. Communications (\$85/per month x 12 months)	\$1,020.00
Total Operational Cost	\$62,020.00
TOTAL ESTIMATED COST IMPACT	\$186,263.16

This total reflects the minimum investment required to onboard, equip, and operationalize a dedicated legal position within the department.

While the cost is significant, the benefits greatly outweigh the cost. This includes the risk of potential lawsuits, delayed or inadequate legal responses, and diminished confidence in the department's legal integrity.

The Honorable Senator Eulogio Shawn Gumataotao,
Chairperson, Committee on Public Safety, Emergency
Management, and Guam National Guard
Subject: Written and Oral Testimony
RE: Bill No. 158-38 (COR)

July 17, 2025

Page 5 of 5

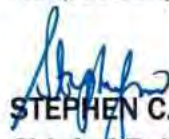
In conclusion, our agency is responsible for enforcing the law around the clock. It is unacceptable that the Guam Police Department lacks immediate, in-house legal support. The previous authorization for legal counsel within the department was eliminated without explanation, leaving GPD at a critical disadvantage. Bill No. 158-38 (COR) aims to rectify this issue.

On behalf of the Guam Police Department, we respectfully urge this Committee and the Members of the 38th Guam Legislature to restore this vital authority and support the passage of Bill No. 158-38 (COR). This is not just an investment in the department; it is an investment in justice, safety, and sound governance of public law enforcement in Guam.

We are also committed to collaborating with this Committee and the entire 38th Guam Legislature to help the Guam Police Department achieve its objectives for a safer community.

Si Yu'os Ma'ase! Thank you for the opportunity to present testimony in support of Bill No. 158-38 (COR). At this point I am ready to respond to any questions you may have.

Respectfully submitted,


STEPHEN C. IGNACIO
Chief of Police

SC:FMGjr/mle/ana/scr



**“Give to the Governor & Chief That Which is Theirs, & Give to the
People the Attorney They Democratically-Elect”
Opposition to Bill 158-38**

(July 24, 2025, 8:30am, Legislative Public Hearing)

It is not often that you get a Government official, let alone a democratically-elected leader saying, **“STOP, let me do the work.”** Well, that is exactly what I am here to say to you leaders about Bill 158-38.

The Office of Attorney General was made Constitutional (Organic Act) for a reason. It was so that the People of Guam had direct control over their Attorney. Plain and simple. Congress prevented some other elected or non-elected official from hiring an attorney to do their bidding without direct accountability to our voters.

Bill 158-38 is not just Unconstitutional, more importantly it is **UN-DEMOCRATIC**. It takes away the democratically-elected Attorney from directly protecting the Voters & People of Guam’s and their legal interests at the Guam Police Department.

An Attorney General is able to detect wrongdoing & to use the People’s Power to criminally prosecute government officials who break Guam’s laws. No other private attorney, or hired lawyer can do this. The AG is chosen as a temporary employee of the People to serve for 4 years. These attorneys who the Governor or Chief of Police may hire do not have either that Authority to Criminally Prosecute nor the selection by the People. The threat of criminal prosecution against any government official is a strong deterrence for them to break our laws. Pretty straight forward . . . ***Break the law, and potentially lose***

Office of the Attorney General
Douglas B. Moylan · Attorney General of Guam

134 W Soledad Avenue, Ste 412 · Hagåtña, Guam 96910 · USA
671-475-3324 · 671-475-4703 (fax) · dbmoylan@oagguam.org · www.guamattorneygeneral.org
“Guam’s Toughest Law Enforcers”

your home by needing to sell it to pay for a criminal defense attorney to stay out of jail. Only a democratically-elected Attorney General can achieve such results, which keep our Government clean & accountable to the People.

That hired lawyer did not put himself out there, advertising his or her credentials, background, training, education or political platform to promise you Voters / People how they would serve the People (at the Guam Police Department). That private lawyer did not go through the “crucible of an election” to compete for the People’s choice of an attorney.

Let’s look at it differently. When you “shop” for an attorney to represent you, how many of you rely upon someone else to select that attorney when it’s your money? No, any of you who have needed an attorney quite frankly: (i) look up the available attorneys, (ii) ask around about the reputation of a lawyer to WIN, (iii) set up an appointment to meet with the attorney to discuss your case, (iv) check your bank accounts to see how much you will need to pay, then (v) hire that attorney. Let’s be “real,” you select and hire an attorney after a long process and a bond of trust is created directly between you as the client, and your attorney. You then expect that Attorney to be the most loyal, dedicated, and capable PIT BULL to WIN! It’s Your Money, You Select Your Attorney! Selecting your attorney at the Guam Police Department or any part of this Government is no different. The only difference is that you as a collective group of voters by majority decision select an Attorney General.

DO NOT FORGET THAT WE ARE ALL STEWARDS FOR THE PEOPLE WHO ELECTED US INTO OFFICE. The non-elected leaders must remember that the PEOPLE of Guam placed each one of them into office, and should not be cutting off direct control of any positions that Congress and our Legislature have mandated to serve

The Attorney General of Guam SHALL BE the Chief Legal Officer of the GOVERNMENT OF GUAM (48 USC § 1421g(d)(1), Period. This Bill is patently Unconstitutional and if passed, I will simply file a civil action in the Court to strike it down. The PEOPLE who elected me in 2022 demand no less. ***Let's not sugar coat it,*** Bill 158-38 supports the Governor's attack upon my hiring Prosecutors and Assistant AGs as the People mandated that I do to serve and protect them.

Instead, let's discuss a much better approach. The solution to Bill 158-38's Constitutional infirmity must be to simply appropriate our People's scarce taxpayer money that you would have paid to the Guam Police Department so that I can hire an Assistant Attorney General who will be accountable to this democratically-elected Attorney General. As has been the practice in the past, and currently used as our supply of attorneys allows, a Memorandum of Understanding (MOU) is entered into between a Department and the AG to assign an attorney to a department that remains an Assistant Attorney General under the democratically-elected AG's supervision. That AAG is also a criminal prosecutor, that can refer to the AG for prosecution criminal wrongdoing in the People's Government.

Since 2023, the Supreme Court of Guam has publicly-recognized that Guam lacks sufficient attorneys to meet the private and government's legal needs. My management staff is effective and efficient. For the past 2 years, we have been, and continue to, recruit off-Island attorneys to serve our client. We have also been providing the Chief legal assistance as he requests. **As a matter of fact, for the past 2 ½ years I daily answer calls from GPD, airport, port authority and conservation officers on a 24/7 basis asking for legal advice.** It's only a matter of time before we are able to assign a full-time attorney to GPD.

All you need do is appropriate the money, or the Governor can make the money immediately available and I will hire an attorney.

Parceling out the AG duties is not the solution, and will only cost more & get less productivity. Centralizing not only the leadership, but the legal resources has been the accepted practice in the Federal model, all 50 states and 4 U.S. Territories & the CNMI. I have provided a copy of our 2025 Budget Bill, wherein we identify **96 Assistant Attorneys General** to properly staff the AG's Office to do all the work required of us. Criminal prosecution; government corruption; child support; Family Court; advising depts., boards & commissions; consumer protection; and providing litigators and appellate counsels comprise what this government needs for its legal needs.

It common knowledge among Attorneys General throughout the United States that the benefits and purpose of an Attorney General are threefold. The Attorney General (i) Directly Protects the People's Legal Interests, (ii) Creates Uniformity of Legal Policy in a Government (*versus costly & disparate castle-building among different govt. officials and private attorneys*), and (iii) Saves Money for the Taxpayers with salaried Assistant AGs, versus hourly or contract private attorneys. Bill 158-38 as written erodes all 3 benefits for the People of Guam, making government operations more expensive and less effective.

Finally, I wish to give my highest praise to Chief Steve Ignacio, to his command staff and to the men and women police officers who have done an outstanding job since I took office in January 2023 arresting criminals to keep us safe. Teamwork exemplifies the cooperation, coordination and mutual professional respect between the Chief of Police and this Attorney General Moylan Administration. The beneficiaries of our teamwork has been our People with the numbers of jury trial wins and ever-increasing criminals being jailed to separate them from our crime victims and law-abiding residents.

Give to the Governor & Chief of Police that which is theirs, and give to the People of Guam the Attorney that they Democratically-elect. Thank you.

Thank you for this opportunity to comment on this legislation.

Respectfully,

A handwritten signature in blue ink, appearing to read "Douglas B. Moylan".

Douglas B. Moylan
Attorney General of Guam



FY2026 BUDGET REQUEST

Office of the Attorney General of Guam





QUICK FACTS

Office of the Attorney General FY2026 Budget Request

Current budget **\$21,246,340**

Requested Budget Increase **+ \$2,861,605**

Breakdown¹

• Salaries ¹	\$1,320,685
• Operations	\$346,649
• Legal Contractual	\$0
• Child Support	\$1,193,770
• Upgrades	\$500
• Vacancies	\$0

Lapses **\$0.00**

No. of Attorneys Required	96
----------------------------------	-----------

No. of Attorneys in Office	40
----------------------------	----

No. of Attorneys NEEDED	56
-------------------------	----

Average Attorney Salary & Benefits	x \$150,000 ²
------------------------------------	--------------------------

ACTUAL ADDITIONAL NEEDED	\$8,400,000
--------------------------	-------------

Total Personnel	174
-----------------	-----

• Attorneys	40
-------------	----

• Staff	134
---------	-----

Criminal Jury Trial Wins Since Jan. 2023	over 57
--	---------

1. Figures in the breakdown are rounded off.

2. Does not include paralegals, legal secretaries, support staff, supplies or facilities expenses.

A message from **Attorney General Douglas Moylan**



Hafa Adai Senators:

Herein contains our detailed budget request for Fiscal Year 2026, which remains under budget in light of this community's need for legal services. Our Island continues to suffer from a lack of legal professionals yet our need for prosecuting crimes to protect us, stopping corruption wasting our tax dollars, getting children their child support, representing our government in Court and advising government officials, protecting our children in Family Court, helping consumers and performing necessary notary administration functions all continue.

Attorneys and legal professionals are expensive in staffing any law firm, but most especially Guam's largest law firm which is the AG's Office. This AG has made it a point to exceed our appropriation. In addition, trying to recruit and keep attorneys is a challenge that we consistently struggle with, considering the significant relocation, culture shock and training required for each person hired.

Notwithstanding the formidable struggles, my team has produced and continues to champion prosecution victories keeping us all safe, and pursuing civil causes that improve and protect our quality of life in this U.S. Territory. Our budget this fiscal year accommodates the increased costs to run this law firm, and attempts to maintain the level of legal services, whilst improving our capabilities as well. Serving our client requires resources, yet rest assured that this Attorney General believes strongly in creating policies and procedures that streamline our operations.

Respectfully,

A handwritten signature in black ink that reads "Douglas B. Moylan". The signature is written in a cursive, flowing style.

DOUGLAS B. MOYLAN
ATTORNEY GENERAL OF GUAM



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FY2025 vs. FY2026 BUDGET

Appropriation Classification	FY 2025 Authorized Level	FY 2026 Agency's Request
PERSONNEL SERVICES		
Regular Salaries/Increments/Special Pay:	12,364,408	13,596,269
Overtime:	0	0
Benefits:	5,281,477	5,879,526
TOTAL PERSONNEL SERVICES	\$17,645,885	\$19,475,795
OPERATIONS		
TRAVEL- Off-Island/Local Mileage Reimburs:	0	25,428
CONTRACTUAL SERVICES:	1,623,416	2,194,373
OFFICE SPACE RENTAL:	1,439,749	1,848,706
SUPPLIES & MATERIALS:	59,573	53,578
EQUIPMENT:	334,150	331,090
WORKERS COMPENSATION:	5,000	5,000
DRUG TESTING:	1,669	5,571
SUB-RECIPIENT/SUBGRANT:	0	0
MISCELLANEOUS:	71,120	71,120
TOTAL OPERATIONS	\$3,534,677	\$4,534,865
UTILITIES		
Power:	0	0
Water/ Sewer:	0	0
Telephone/ Toll:	26,500	31,148
TOTAL UTILITIES	\$26,500	31,148
CAPITAL OUTLAY	\$39,278	\$66,138
TOTAL APPROPRIATIONS	\$21,246,340	\$24,107,945

In a nutshell, our proposed FY2026 budget is \$24,107,945 which represents 1.78% of the Government of Guam's FY2026 budget of \$1,357,061,551. As the largest law firm on island with over 40 attorneys and about 134 supporting staff, our office is actively recruiting to fill additional attorney positions to serve our client, who are the People of Guam. Our requested about \$2.8M or 12.6% increase from the FY2025 budget is due to an increase in salaries and benefits resulting from organic growth, retirement rate increases, legal consultants, and office rent.

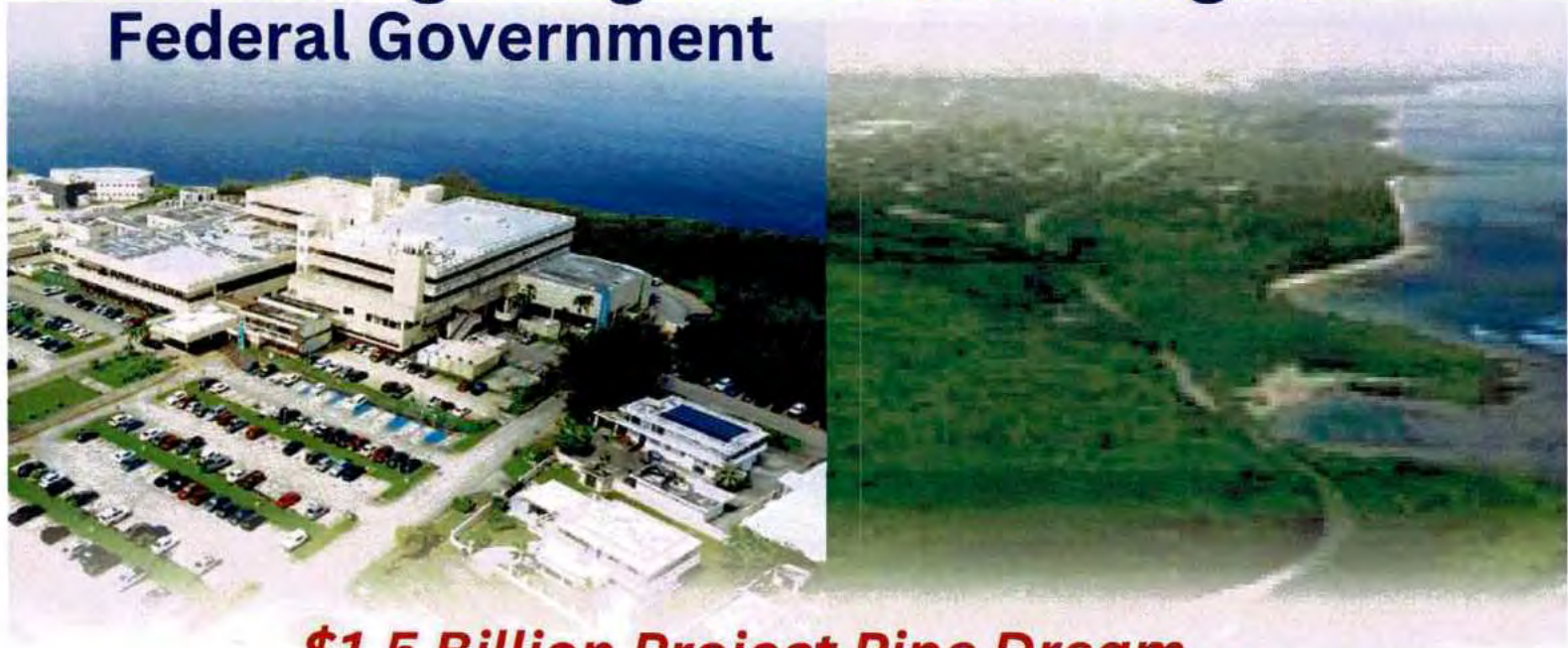


2025

**Legal Policies, Direction &
Protecting the People's
Quality of Life**

HEALTHCARE

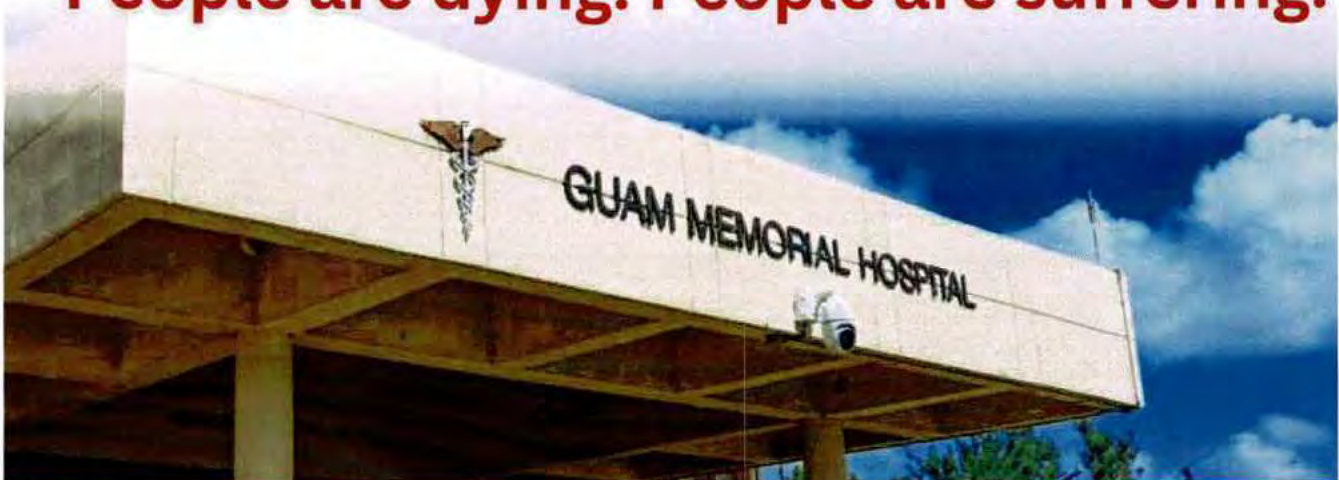
Protecting Us Against Reimbursing the Federal Government



\$1.5 Billion Project Pipe Dream . . .

We need structural repair, pharmaceuticals and medical professionals (cardiac surgeon, neurologist, oncologist).

People are dying. People are suffering.



EDUCATION

Procurement Support: Simon Sanchez High School and F.B. Leon Guerrero Middle School

This AG supports the People's mandate for their government to provide proper education to our children. In fulfilling this mandate, this AG's Office is consistently communicating, coordinating, and providing procurement support to both GDOE and DPW to accomplish the reconstruction of a brand-new Simon Sanchez High School and the completion of the refurbishment of F.B. Leon Guerrero Middle School in Yigo. Our kids and families deserve it.



PUBLIC SAFETY

100% Meth Inspections Saves Lives

Meth is flooding our island, creating victims in every village and overwhelming our justice system. In December 2024, the AG released a 100-page **Meth Interdiction Plan** to fight back—starting with the Port Authority.

The AG has put the Governor on notice: meth is slipping through containers and cargo leaving our port. To stop it, the Governor must act now—order 100% inspections of all cargo. No more delays. No more excuses. Meth is killing our people. It's time to use our power, our resources, and our resolve to cut off the supply and drive up the price. Let's protect our families and take our island back.





2025

PROJECTS & PROGRAMS
*Making Guam A Good Place
to Live*



PROSECUTION

Guam's ***Toughest Law Enforcers*** continue to uphold the AG's commitment to protecting the public, successfully prosecuting numerous criminal cases ranging from minor offenses to serious felonies. These cases include drug-related offenses, violent crimes, and white-collar crimes.

Our dedicated team of AG Renegades has won over 57 trials since January 2023. Each trial victory signifies another criminal removed from our community and another crime victim receiving the justice they deserve. We...***Go, Fight, Win!***

BILLBOARDS

We continue communicating with our client, the People of Guam, through our billboards. To date, the AG's Office has released **21** distinct billboard designs, each one shedding light on crimes and legal issues. On the spotlight this year are our **Meth Kills**, **Panbusters**, and **Crime Victims Fighting Back!** billboards. These images paint a picture of the issues we face and are not (necessarily) intended to make us feel comfortable.









CHANGING OUR KIDS' DNA

Since launching in November 2024, the AG's *Changing Our Kids DNA* School Tour has covered **8 middle and high schools**, delivering a critical message: ***Meth Kills and Be Smart, Don't Start***. We're showing students that the real danger isn't just jail — it's the deadly poison that is meth brought by death dealers that can destroy their future. Through these outreach efforts, we're helping students through education and stay on the path to success. This program continues to reach more schools, helping our youth stay away from meth and pursue their dreams with a healthy, bright future.



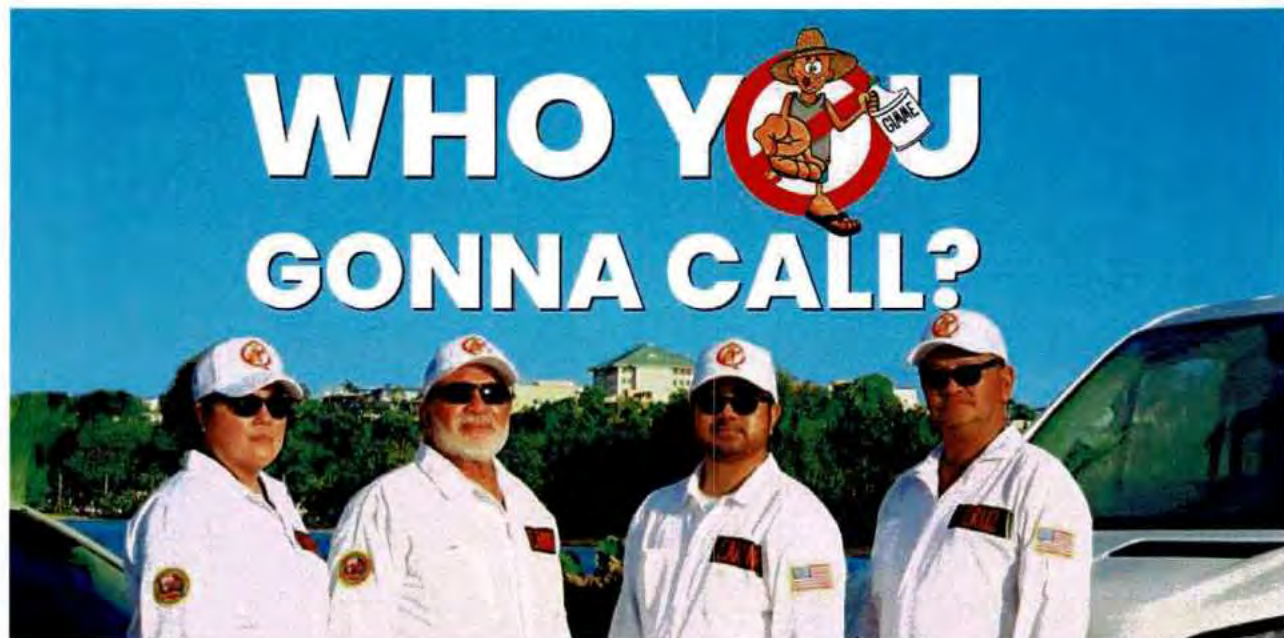




AG'S PROTECT ONE ANOTHER VILLAGE Q&A

The AG's Office is bringing crucial information directly to our client, We the People, through the **Protect One Another Village Q&A Outreach** series, equipping residents with knowledge of their rights under Guam's Castle Doctrine and Self-Defense laws. With successful events in 4 villages and more on the way, General Moylan and our team of attorneys and staff are reaching out to every community to share how they can lawfully protect themselves and their families. Beyond the legal presentation, these interactive sessions creates meaningful discussions between your Elected-AG and the People of Guam.





PANBUSTERS . . . everyone has to follow the law.

The AG PanBuster team was created in January 2025 to enforce the Anti-Aggressive Panhandling Law, 16 GCA § 3805(a). Our team of men and women in white suits patrol the streets of Guam, ensuring the safety of our roads. As of March 25, our PanBuster teams have issued a total of 22 tickets to illegal panhandlers, sending a clear message: ***Get off our Roadways & Get A Job.***

DEPORT AIR

We effectuate the will of our people and continue have alien criminals removed from our island. The Criminal Deportation Initiative, launched on August 21, 2023, enables pretrial and post-judgment defendants to undergo voluntary deportation, barring their reentry to Guam. On November 1, 2023, our "29 Deported and Counting" billboard was erected in Dededo, Barrigada, and Agana. The subsequent "Deport Air" billboard, featuring 40 non-US criminals with ICE detainers, was unveiled on June 1, 2024.

ATTENTION: NON-US CITIZENS

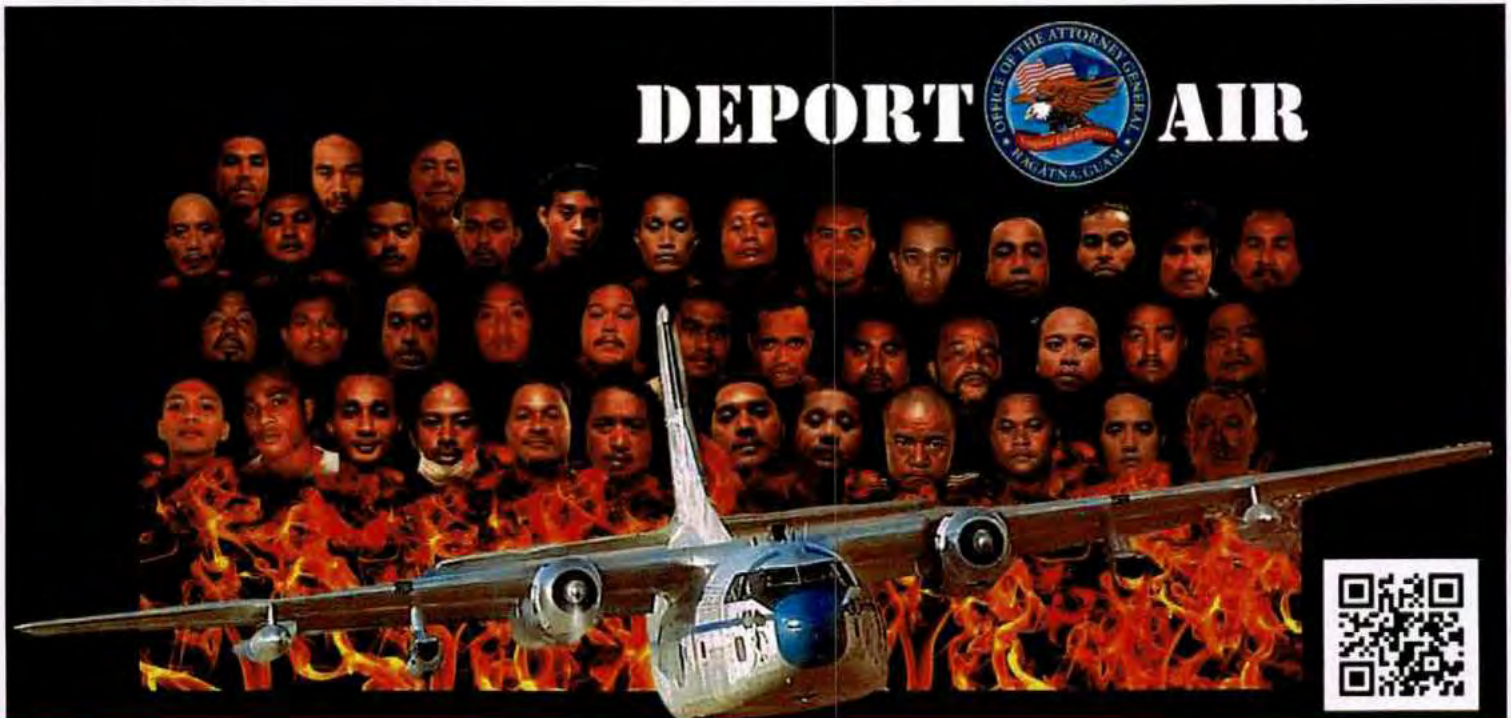
WE MAY GET YOU OUT OF JAIL!

The Office of the Attorney General's Criminal Deportation Initiative allows convicted individuals who have ICE detainers to have an early release so that they may be deported back to their country of origin and not allowed reentry into the USA.

Those with no ICE detainers, but are non-US citizens, may also seek voluntary deportation through a stipulated amended judgment with the AG's Office.

If you are interested, please contact your attorney and have them contact the Office of the Attorney General. If you do not have an attorney, you may contact AG Paralegal Carene Blas at deportation@oagguam.org or 671-475-3324 (ext. 2146).

This is your chance to rebuild your life and reconnect with loved ones.





LOVE YOUR KIDS

In August 2024, the AG's Office, led by AG Moylan and the dedicated team from the Child Support Enforcement Division, hit the road with our beloved mascot, Eric the Eagle, bringing a wave of outreach events. August was once again proclaimed as "Child Support Awareness Month," officially launching another round of family-focused outreach events. From village to village, the AG's Office is making sure parents know their rights, children get the support they deserve, and the island hears the call to ***Love Your Kids***.



OTHER ONGOING PROJECTS

Crime Victims Fighting Back

Anti-School Violence

Clearing of Homeless Encampments

Concrete Action on Road Damages

Load Shedding Accountability

Consumer Rights Awareness

***Releasing Undistributed Child Support
Funds (PL 37-100)***

Awarding Good Samaritans

and many more . . .



STAFFING TREND



THE PEOPLE OF GUAM'S ELECTED LAW FIRM



TARGETS & PROJECTIONS

The Office of the Attorney General of Guam is a democratically-elected law firm created by Congress and Guam law. Based upon the May 31, 2024 Supreme Court decision, our projected 55 attorneys who might have done both criminal and civil legal work, has now been increased to 96 attorneys in order to service all the departments and agencies. An additional 56 Assistant AGs are still needed. This will require additional legal support staff, equipment & supplies and facilities for these attorneys. ***We are up to the task.***

ATTRACTING TALENT

Staffing our public law firm with high-caliber attorneys, paralegals, investigators, legal secretaries, and clerks is critical to fulfilling our mandate. It's no secret that Guam faces a shortage of qualified attorneys, but this AG's Office is meeting the challenge head-on.

Our team is aggressively recruiting the skilled attorneys needed to carry out our mission of Protecting the Public. Our efforts have already brought dozens of experienced, off-island attorneys to join our ranks, reinforcing AG Moylan's commitment to be the **Toughest AG on Crime**, backed by his Renegades, the **Toughest Law Enforcers**.







I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 158-38 (COR)

Introduced by:

V. Anthony Ada
Christopher M. Dueñas
Jesse A. Lujan
Chris Barnett
Joe S. San Agustin
Tina Rose Muña-Barnes
Shelly V. Calvo

AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 77108 is *added* to Chapter 77, Title 10, Guam Code Annotated to read as follows:

“§ 77108. Authority to Hire Attorney. (a) The Department may employ an attorney to assist and represent it in all civil matters. The Attorney General shall represent the Department in litigation in which the Department is interested, provided that the Attorney General may designate the Department’s attorney as a Special Assistant Attorney General for this purpose.

(b) The Department may set the terms and conditions of employment of the attorney, the compensation of which shall be established in accordance with 4 GCA § 6208 as a full-time employee or as an independent consultant or may utilize the services of a law firm. The attorney shall be admitted to practice law in Guam.”

Section 2. Section 4 of Public Law 30-202 is *repealed* in its entirety.

1 ~~“Section 4 Attorney General to Provide Legal Services.~~

2 ~~Notwithstanding any other law, rule or regulation the Attorney General shall~~
3 ~~designate at least one (1) of its attorneys to assist and represent the Guam Police~~
4 ~~Department in all civil matters. The Attorney General, or his or her designee, shall~~
5 ~~represent the Guam Police Department (GPD) in administrative hearings or civil~~
6 ~~litigation in which the Department is interested, and also provide legal advice and~~
7 ~~guidance to GPD, as well as provide consultation to GPD on training and other~~
8 ~~police-related matters.”~~

July 24, 2025

Senator Shawn Gumataotao, Chairman
Committee on Public Safety, Emergency Management and Guam National
Guard
I Mina'trentai Ocho Na Liheslaturan Guåhan
120 Father Duenas Avenue, Capitol Plaza Building, Ste. 103
Hagåtña, Guam 96910

Buenas yan Saludas Senator Gumataotao,

I am submitting this written testimony in full support of Bill 158-38 to add a new §77108 to Chapter 77, Title 10 Guam Code Annotated, repealing section 4 of Public Law 30-202 relative to authorizing the Guam Police Department to hire its own attorney. As a command staff member, I was in attendance of the public hearing of this bill on July 24, 2025. I signed up to provide testimony on this matter but was never called. I figured this was due to time constraints. I am hopeful that this written testimony would provide some insight to some of the questions and concerns members of the committee had posed during the public hearing.

As a twenty-seven (27) year veteran of the Guam Police Department, I cannot express the significant positive impact that would follow with the passage of this bill. For almost two decades since PL 30-202 repealed this ability, we have been plagued with crucial challenges that come with not having an attorney in our department. During his testimony, Chief Ignacio highlighted several incidents encompassing some of these challenges, as well as the extreme importance of having immediate access to a staff attorney. Several Government of Guam agencies inclusive of this legislative body have an in-house attorney to provide immediate legal consultation. This helps crucial components of our government navigate through legal boundaries in a timely fashion, thus allowing proficient and efficient services to be rendered in the best interest of not just that organization, but our people of Guåhan. Could the Guam Legislature afford to work without a hired Attorney? I think not, and I am confident that all reasonable people share the same sentiments.

An analysis of the status quo reveals a clear disparity, as other law enforcement police agencies through their autonomy at the Guam Airport and Port Authority

of Guam have immediate access to an in-house staff attorney. It makes no sense that these police organizations with less legal jurisdictional authority have this service, while the Guam Police Department dubbed as the "Premier Law Enforcement Agency" does not. As the primary law enforcement agency of our island, having a staff attorney should be a standard requirement. Being in the business of enforcing laws places our employees and department in situations which can straddle the fence of suppressing the constitutional rights of citizens. This is evident with the two (2) on-going law suits our department is currently facing.

Despite the opposition of the Attorney General, the enactment of Bill-158-38 would aide in critical areas beyond prosecution and procurement contractual reviews such as:

- Consistent and reliable representation on personnel matters before the Civil Service Commission
- Legal advice and guidance dealing with lawsuits and other legal matters (i.e. applications of search warrants, administrative law, dealing with proposal of adverse actions, Freedom of Information Act requests).
- Timely and accurate roll-call training of uniformed personnel with forever evolving Supreme Court rulings and changes of local statutes, as well as training on providing judicial testimony for both civilian and uniformed employees from the most basic level to those that have been deemed subject matter experts in their respective field.
- Policy review, development and implementation. Several defense attorneys have been submitting FOIA requests on our department's policies which are being questioned and challenged in courtrooms.

As is stands, our Legal Affairs Section is staffed and operated by a Sergeant II. As skilled and educated as he may be, he and others within our department are not lawyers. As associated with its title, all legal affairs are routed to this office from FOIAs, MOA/MOUs, procurement. This presents challenges when dealing with other Attorneys, most especially defense attorneys who know the ins and outs of our legal system. As such, it is only prudent to have an attorney hired and assigned to this section. As history has shown, prior to PL 30—202, the Guam Police Department always had a Staff Attorney on board. Since that time the work load hasn't diminished. Laws, technology, and the overall service the Guam Police Department provides to our community has evolved. A perfect example of this is

the passage of a law requiring the use of Body Worn Cameras. With the recent procurement and roll-out of this equipment, submissions of Freedom of Information Act requests are guaranteed to increase. This in itself will bring up several legal issues of when, and where officers use these BWC's. This is where the immediate expertise of legal counsel will be crucial as we face matters associated with transitioning to this program.

Although Chief Ignacio could not provide instances in which the lack of an in-house attorney affected investigations, I can attest to countless incidents in which the unavailability, or lack of timely response from an Attorney effected complex large investigations. Prior to my promotion to my current rank as a police lieutenant, I served fourteen (14) years as a Detective with our Criminal Investigations Division (CID). From June of 2009 to December of 2023 I led, participated, and supervised hundreds of complex investigations such as Homicides, Robberies, Home Invasions, Shootings, Burglaries, Larceny Thefts, Narcotics, Family Violence and Sex Crimes. In almost all these types of cases, the applications of search warrants are required for the preservation and seizure of valuable evidence needed for successful prosecutions. In many cases, multiple search warrants are sought in a single investigation. Evidence can range from tangible physical evidence to digital crypto evidence. Since being stripped of our ability to hire an attorney, the standard practice has been for CID/GPD to draft an application of a search warrant and send it to the Attorney General's office for review before proceeding to the Superior Court of Guam for the final phase of the application. In the fourteen years I served at CID, I can only count a handful of times that the Office of the Attorney General was able to provide us this service. Most of this was due to the Office of the Attorney General's staffing shortages and conflicting timing associated with their time in court. Prior to this, we had no issues, as we had an Attorney staffed in our department.

Having Attorney General Douglas Moylan oppose this bill brings obvious controversy as he opined through his interpretation of the Organic Act of Guam that Bill 158-38 is unconstitutional. He went on further in publicly stating he should this bill pass, he would file civil action in the judicial process to "strike it down." In witnessing our AG shifting the intent of this public hearing to justify his budget and staffing shortages, two things stuck out to me. First was his statement that "it wasn't necessarily the hiring of the attorney he is worried about, but the lack of control of an elected Attorney General." He later followed up with making a promise to the committee that if given the funding, he would hire and provide an

AAG to the Guam Police Department. He even promised to do it at a cheaper cost following his analogy of the Rolls-Royce Vs. Hyundai argument. The concerns I have with these statements, is that if you look at the totality of his entire testimony, it was focused on his inability to provide the Guam Police Department and other government agencies with legal services due to his staffing shortage. Analyzing the second statement in committing an Assistant Attorney General to the Guam Police Department is nothing more than an attempt to increase his staffing, and have an extra attorney under his control. As much as I commend AG Moylan for offering this as a compromise, the reality is that the Guam Police Department tried this before and it failed. When former AAG Jonathan Quan was assigned to GPD during Attorney General Barrett-Anderson's term he was shared between Guam Customs and Quarantine and our department. Although we had an office space for him at our headquarters, he only worked out of there when he could, as he was always subjected to recall by Attorney General Barrett-Anderson. As an employee of the OAG, he was still responsible for civil cases he was handling at that time which put him in court. To mitigate these challenges, AG Barrett-Anderson rotationally assigning AAG Quan and AAG David Rivera to us, but these vallant efforts were futile. Following Judge Quan's appointment to the bench as a magistrate judge in September of 2018, no replacement was given to the Guam Police Department. Not during Attorney General Barrett-Anderson's term, not during Attorney Levin Camacho's term, and most importantly not in the past three years of current Attorney General Moylan's term. The current statute mandates the Office of the Attorney General to provide legal counsel to all Government of Guam agencies as the Chief Legal Officer of the Government of Guam, as he so cited during his testimony. Why has it taken him three years and the introduction of Bill 158-38 for this offer to be brought to the table? As the Attorney General put it, "let's not sugar coat it," Allowing this gentlemen's agreement as an option on the table only serves the best interest of Attorney General Moylan. Memorandums of Understanding and Agreements are not binding documents, which can, and have been broken. In addition, we need to ask what would happen should a new Attorney General be elected. Providing AG Moylan, the funds to hire an Attorney to give the Guam Police Department can not be weighed on these terms. All it would do is provide him with an additional Attorney for him to recall and "control" based on the priorities of his office which is already short-staffed and inundated beyond its capabilities. Considering this option is a highly risked gamble that will only land us back to where we are today.

The ability for the Guam Police Department to hire its own Attorney is the right and most logical answer. Some may say that opening this door would allow others within the Government of Guam such as Public Health to ask for the same consideration. My response is that it should be considered on a case-by-case basis, weighing the liability factors faced by that agency with the outcome of that agency having an attorney versus not having one to determine if it's in the best interest of the Government of Guam and our people. With the type of work, coupled with the exposure of liability, there is an undeniable need for the Guam Police Department to hire its own attorney. The pros outweigh the cons for our government, and people as a whole. The passage of this bill will alleviate the struggle of the Attorney General's office so that they can focus their resources and efforts towards successfully prosecuting criminals. We are not asking for ninety-six (96) attorneys, and only need one. Considering our priorities and the size of our government, the expenditure of coiffers on purchasing a "Rolls-Royce" is fiscally irresponsible. We can get the job done with the top safety and reliability ratings of the Hyundai.

In conclusion I would like to thank the author of this Bill 158-38, Vice Speaker Tony Ada and its co-sponsors, Senator Chris Barnett, Senator Chris Duenas, Senator Jesse A. Lujan, Senator Shelly V. Calvo, Senator Joe S. San Agustin and Senator Tina Rose Muna Barnes. I would also like to extend my thanks and appreciation to members of your committee in working on addressing our concerns with this bill. I am hopeful that all the Senators see the need and importance of the bill and follow through with its passage.

Sincerely,



Eugene C. Charfauros
Police Lieutenant
Guam Police Department



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

COMMITTEE VOTE SHEET

Bill No. 158-38 (COR) - As Amended by the Committee on Public Safety, Emergency Management, and Guam National Guard – “AN ACT TO ADD A NEW § 77108 TO CHAPTER 77 OF TITLE 10, GUAM CODE ANNOTATED, AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202, RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.”

Committee Members	Signature	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
Senator Eulogio Shawn Gumataotao <i>Chairperson</i>		✓				
Vice-Speaker V. Anthony Ada <i>Vice-Chairperson</i>		✓				
Speaker Frank F. Blas, Jr. <i>Committee Member</i>		✓				
Senator Sabrina Salas Matanane <i>Committee Member</i>				✓		
Senator Tina R. Muña Barnes <i>Committee Member</i>		✓				



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

COMMITTEE REPORT DIGEST

I. OVERVIEW

The Committee on Public Safety, Emergency Management, and Guam National Guard convened a public hearing on July 24, 2025, at 8:30 a.m. at the Public Hearing Room of the Guam Congress Building.

Bill No. 158-38 was introduced on **June 26, 2025**, by Senator Eulogio Shawn Gumataotao and was subsequently referred to the Committee on Public Safety, Emergency Management, and Guam National Guard on **July 7, 2025**.

Public Notice Requirements

Public Hearing Notices sent out via email to all Senators and all main media broadcasting outlets on July 16, 2025 (5-Day Notice) and again on July 22, 2025 (48-Hour Notice). The notice was also published via radio advertisement and on the Guam Public Notice Website on the aforementioned dates.

Senators' Present

Senator Eulogio S. Gumataotao, Committee Chairperson
Vice Speaker Tony Ada, Committee Co-Chairperson
Senator Sabrina Salas-Matanane, Committee Member
Senator Christopher Duenas
Senator Shelly Calvo
Senator Telo T. Taitague

Attendees

Mr. W.L. Stamps, Atty. – Office of the Attorney General of Guam
Mr. Autin Fortuno - Office of the Attorney General of Guam
Mr. N.L. Miller, Atty. - Office of the Attorney General of Guam
Mr. Gonzalo A. Gayoso, Atty. - Office of the Attorney General of Guam
Mr. Douglas B. Moylan - Attorney General of Guam
Mr. Stephen Ignacio - Chief, Guam Police Department
Mr. Felix Camacho, Lt. – Guam Police Department
Mr. Troy Lizama, Cpt. - Guam Police Department
Mr. Paul Sayama, Cpt. - Guam Police Department
Mr. Eugene Charfauros, Lt. - Guam Police Department
Mr. Jason Aguon - Guam Police Department
Mr. LeRoy P. Leon Guerrero - Guam Police Department
Mr. Mike Elliott, Sgt. - Guam Police Department
Mr. Norman Analista - Guam Police Department
Mr. Anthony Chaco - Guam Police Department
Mr. John Gamboa - Guam Police Department

Written Testimony Provided by

Mr. Douglas B. Moylan - Attorney General of Guam
Mr. Stephen Ignacio - Chief, Guam Police Department



OFFICE OF SENATOR
Eulogio Shawn Gumataotao

38th Guam Legislature | *I Mina'trentai Ocho Na Liheslaturan Guåhan*

II. SUMMARY OF TESTIMONY & DISCUSSION

Public Hearing - Senator Shawn Gumataotao - July 24, 2025, 8:30am

Chairman Gumataotao: Well, Buenas and Hafa adai everyone. This public hearing by the Committee on Public Safety Emergency Management and your Guam National Guard is hereby called to order. Today is Thursday, July 24th, 2025, and the time is now 8:30 a.m.. For the record and in accordance with the open government law, notices for this hearing were sent out on July 16th, 2025, and again on July 22nd, 2025. This hearing was also published on the Guam Legislature website and the Guam Public Notice website. Joining me here this morning are committee members, the Vice Speaker and Senator Tony Ada. Also, as well as our colleagues that are present, Senator Telo Taitague and Senator Chris Duenas. Si Yu'os ma'ase, Senators, for joining me this morning for this hearing. Before we proceed with the discussion today, I'd like to first provide some general rules of conduct for those that are in attendance this morning. The conduct of this hearing shall be as follows. Written comments or presentations shall be submitted to the committee. Please provide my legislative staff with your written comments for photocopying. Comments may be read, and I ask that lengthy presentations should be summarized to about five minutes. Those offering comments will be allowed to present written or oral testimony. Once you are done, please remain in the room, if you could, for questions or additional comments as may be desired by members of the committee. Questions and comments shall be confined to the nature of the agenda. And today's public hearing agenda covers Bill 158-38 COR, authored by Vice Speaker V. Anthony Ada and Senators Christopher Duenas, Jesse Lujan, Chris Barnett, Joe San Agustin, Tina Muna-Barnes, and Shelly Calvo. Which is an act to add a new subsection 77108 to Chapter 77, Title 10 and to repeal Section 4 of Public Law 30-202 relative to authorizing the Guam Police Department to hire its own attorney.

For the record, the committee invited the following individuals and agencies to participate in today's hearing. Chief Steven Ignacio, the Chief of the Guam Police Department, and our Attorney General of Guam, Douglas Moylan. Additionally, the Bureau of Budget and Management Research provided a fiscal note on Bill 158-38 COR, dated July 14th, 2025. And I'll just get right to the comments, BBMR writes this. The proposed legislation intends to authorize the Guam Police Department to employ its own attorney to assist and represent it in all civil matters and remove the office of the Attorney General from providing legal services. The Bureau notes that there is no funding source identified for this fiscal impact. Per comments provided by the GPD, the estimated cost impact for hiring its own attorney is \$186,264, which is not covered under the department's annual budget. This will consist of personnel costs of \$124,244 and operational costs, i.e., office equipment, office space rent, official vehicle, etc., in the cost of \$62,020.

At this time, the Chair will invite individuals who wish to testify on Bill 158-38 COR to take a seat before the committee. And before speaking, individuals who wish to make a presentation shall first be recognized by the Chair and shall state their name for record purposes. If I can also, I want to welcome up here to the dais, taking pictures, is our fellow Senator Chris Barnett as well. Thank you, Senator, for being with us this morning. The order of questioning will begin with the panels of Senators who shall each have five minutes to ask their questions. The time allotted to each Senator does not include responses that are provided by those testifying. Personal inferences about the character or motive of any Senator or any individual commenting is not permitted. Any violations of this general rule of conduct will result in removal from the public hearing room for this particular proceeding, individuals who fail to maintain proper form and decorum may be restricted from providing oral testimony and or may be asked to leave or be escorted and removed from this room. Proper form and decorum shall be practiced by all present in this public hearing room.

I would like to invite, first let me ask those that are testifying, I believe on the record we have both our Attorney General of Guam, Douglas Moylan, and we also have our Chief of Police, Steve Ignacio. Why don't you come up here real quickly while we're able to. In the meantime, I would like to now invite our Vice Speaker, Tony Ada, the author of Bill 158-38 COR to provide his opening remarks on this measure.

Vice Speaker Tony Ada: Thank you, Mr. Chair, and good morning, everyone. And thank you for being here at the public hearing for Bill 158-38 COR. Mr. Chairman, this bill is a complete 180 degree turn in the way GPD hires its attorney. The bill reenacts the provisions of GPD's enabling laws that were codified in Subsection 77108 of 10 GCA. Prior to its repeal by Public Law 30-202. This original language that is being restored by this bill was enacted by Public Law 24-023. The unusual complication that this bill will clarify relates to the authority for GPD to use an attorney appointed by the office of the Attorney General. This provision of law enacted by Public Law 30-202 was never codified. Nonetheless, the language will be repealed by the enactment of this bill and the language from Public Law 24-023 will be restored, thus giving GPD the full authority to hire its own attorney for its exclusive use. I'm not sure of the history behind the attorney position, but it appears to be a continual problem for GPD to have reliable and consistent legal representation. This bill does nothing new, it just simply restores the law as it was originally intended to. Thank you, Mr. Chair.

Chairman Gumataotao: Thank you, Vice Speaker Ada, for your opening remarks. And I'd also like to recognize another member of the committee that's with us this morning, Senator Sabrina Salas-Matanane. Thank you, Senator, for being with us today as well.

Now, before we begin with testimonies, the committee requests those who have again signed in to provide verbal testimony on Bill 158 to please state their name for the record, the name of their organization or agency if their testimony is being provided on behalf of that entity, and whether they support or oppose Bill 158-38 COR. Thank you so very much. Let me go ahead and begin, and I'll defer to our elected Attorney General. Attorney General Doug Moylan, you have the floor, you're recognized.

Attorney General Douglas Moylan: Hafa adai, Senator Gumataotao, Vice Speaker Ada, Senator Taitague, Senator Duenas, Senator Barnett, as well as Senator Salas-Matanane. It's not often that you get a government official, let alone a democratically elected leader, saying, stop, let me do the work. Well, this is exactly what I'm here to say to you leaders about Bill 158-38. The Office of the Attorney General was made constitutional, organic act, for a reason. It was so the people of Guam had direct control over their attorney, plain and simple. Congress prevented some other elected or non-elected official from hiring an attorney to do their bidding without direct accountability to our voters. Bill 158-38 is not just unconstitutional, more importantly, it is undemocratic. It takes away the democratically elected attorney from directly protecting the voters and people of Guam and their legal interest at the Guam Police Department. An Attorney General is able to detect wrongdoing and to use the people's power to criminally prosecute government officials who break Guam's laws. No other private attorney or hired lawyer can do this. The AG is chosen as a temporary employee of the people to serve for four years. These attorneys who the Governor or Chief of Police may hire do not have either the authority to criminally prosecute nor the selection by our people. The threat of criminal prosecution against any government official is a strong deterrence for them to break our laws. Pretty straightforward, break the law and potentially lose your home by needing to sell it to pay for a criminal defense attorney to stay out of jail. We saw this in the Trump administration. Only a democratically elected Attorney General can achieve such results, which keep our government clean and accountable to the people. That hired lawyer did not put himself out there, advertise his or her credentials, background, training, education, or political platform to promise you, voters, people, how they would serve our people. And in this case, it would be at the Guam Police Department. That private lawyer did not go through the crucible of an election to compete for the people's choice of an attorney. Let's look at it differently. When you shop for an attorney to represent you, how many of you rely upon someone else to select that attorney when it's your money? No. Any of you who have needed an attorney, quite frankly, look up the available attorneys, ask around about the reputation of a lawyer to win, set up an appointment to meet with the attorney to discuss your case, check your bank accounts to see how much you will need to pay them, and then hire that attorney. Let's be real. You select and hire an attorney after a long process, and a bond of trust is created between you as the client and your attorney. You then expect that attorney to be the most loyal, dedicated, and capable pit bull to win. It's your money. You select your attorney. Selecting your attorney at the Guam Police Department or any part of this government is no different. The only difference is that you as a collective group of voters, by majority decision, select an attorney general. Do not forget that we are all stewards of the people who elected us into office. The non-elected leaders must remember that the people of Guam place each one of them into office and should not be cutting off direct control of any position that Congress and our legislature have mandated to serve. The Attorney General of Guam shall be the Chief Legal Officer of the Government of Guam. That's in Congress's statute. That's in our Organic Act. That is our Constitution. 48 United States Code Section 1421 G.D. 1. Period. This bill is patently unconstitutional, and if passed, I will simply file a civil action in the court to strike it down. The people who elected me in 2022 demand no less. Let's not sugarcoat it. Bill 158-38 supports the governor's attack upon my hiring prosecutors and assistant AGs as the people mandated that I do to serve and protect them. Instead, let's discuss a much better approach.

The solution to Bill 158-38's constitutional infirmity must be to simply appropriate our people's scarce taxpayer money that you would have paid to the Guam Police Department so that I can hire an Assistant Attorney General who will be accountable to this democratically elected

Attorney General. As has been in the practice of the past and currently used as our supply of attorneys allow, a memorandum of understanding is entered into between a department and the AG to assign an attorney to a department that remains an Assistant Attorney General under the democratically elected AG's supervision. That Assistant AG is also a criminal prosecutor that can refer to the AG for prosecution criminal wrongdoing in the people's government.

Since 2023, the Supreme Court of Guam has publicly recognized that Guam lacks sufficient attorneys to meet the private and government's legal needs. My management staff is effective and efficient. For the past two years, we have been and continue to recruit off-island attorneys to serve our client. We have also been providing the Chief Legal Assistance as he requests. As a matter of fact, for the past two and a half years, I daily answer calls from GPD, Airport, Port Authority, and Conservation Officers on a 24-7 basis asking for legal advice. It's only a matter of time before we are able to assign a full-time attorney to GPD. All you need to do is appropriate the money or the governor can make the money immediately available and I will hire an attorney. Parceling out the AG's duties is not the solution and will only cost more and get less productivity. Centralizing not only the leadership but the legal resources has been accepted practice in the federal model, all 50 states, and four U.S. territories in the CNMI.

I provided a copy of our 2026 budget bill wherein we identify 96 assistant AGs to properly staff the AG's office to do all the work required of us. And this is the document that we've circulated among our leaders in the legislature. Criminal prosecution, government corruption, child support, family court, advising departments, boards and commissions, consumer protection, and providing litigators and appellate counsel comprise what this government needs for its legal needs. It's common knowledge that among attorneys general throughout the United States that the benefits and purpose of an attorney general are threefold. The Attorney General directly protects the people's legal interests, creates uniformity of legal policy in a government versus a costly and disparate castle building among different government officials and private attorneys, and saves money for the taxpayers with salaried assistant AGs versus hourly or contract private attorneys. Bill 158-38, as written, erodes all three benefits for the people of Guam, making government operations more expensive and less effective. And by the way, that recent statute that you passed between my first term and this term to require the attorney general to throughout the government review over 500,000 procurements embodies what I'm saying. There's a reason why the senators of the past wanted the Attorney General involved in the 5150 review of over 500,000 procurements. It's because we are the stop valve, one location, not these private attorneys hired by especially the autonomous agencies.

Finally, I wish to give my highest praise to Chief Steve Ignacio, to his command staff, and to all the men and women police officers who have done an outstanding job since I took office in January 2023, arresting criminals and investigations to keep us safe. Teamwork exemplifies the cooperation, coordination, and mutual professional respect between the chief of police and the attorney general Moylan administration. The benefits of our teamwork has been our people with the, excuse me, the beneficiaries of our teamwork has been our people with the number of jury trial wins and the ever-increasing criminals being jailed to separate them from our crime victims and law-abiding residents. Give to the Governor and Chief of Police what is theirs and give to the people of Guam and the attorney that they elect, that which is his. Thank you for this opportunity to comment. Senators.

Chairman Gumataotao: Yes, thank you, Attorney General Moylan. And thank you to your staff for being with us this morning as well. And thank you all for your collective service to the people of Guam. At this time, let me now yield to our Chief of Police, Stephen Ignacio. You can proceed.

Chief of Police Stephen Ignacio: Buenas and Hafa adai and thank you for the opportunity to submit testimony in strong support of Bill number 158-38, an act to add a new 77-108 to Chapter 77, Title 10, and to repeal Section 4 of Public Law 30-202, relative to authorizing the Guam Police Department to hire its own attorney. Hafa adai and good morning, Senator Gumataotao, Vice Speaker Ada, Senator Duenas, Senators Matanane, Senator Barnett, and Senator Taitague. I am Stephen C. Ignacio, Chief of Police for the Guam Police Department. I am submitting this testimony.

First and foremost, I want to express our sincere appreciation to the Public Safety Committee for their continued support and collaboration. Your partnership is essential for maintaining the level of public safety services that our island community expects and deserves, while also promoting operational efficiency and fiscal accountability.

The Guam Police Department is the primary agency responsible for enforcing the laws of Guam every day. However, we operate without dedicated in-house legal support. As legal issues related to policing become increasingly complex, urgent, and subject to public and judicial scrutiny, our department must rely on external legal services. Unfortunately, these services are not always readily available or integrated into our department structure. This has resulted in critical gaps in access to timely, mission-specific legal guidance. The Guam Police Department once maintained its own in-house legal counsel, a resource that provided direct, timely, and department-specific legal guidance. However, this capability was removed with the passage of Public Law 30-202. A review of legislative records and public testimony indicates that GPD leadership, at the time, strongly opposed this measure. The rationale for the bill, as outlined by its author, centered on three main concerns.

A shortage of attorneys within the Office of the Attorney General's Office, which the bill aimed to help address, reports, unverified, of GPD employees not being able to reach the legal counsel, and lastly, three, the absence of a submitted workload output report from GPD's legal office, covering an undefined timeframe.

During the public hearing for the bill, GPD legal counsel, Mr. James Mitchell, presented a summary of the volume and complexity of cases he handled. He explained that the requested workload report was not submitted due to the sheer volume of legal work he was managing alone. Then-Chief of Police, Paul Suba, along with former Chief Frank Ishizaki, both testified in opposition to the bill, underscoring the critical role legal counsel played in managing risk, ensuring procedural compliance, and protecting the department from legal exposure. Despite these objections, Public Law 30-202 was enacted in the years since. GPD has faced significant challenges in obtaining consistent, responsive legal guidance. As the department's operational complexity, community engagement, and legal liabilities have increased, so too has the need for reliable legal counsel tailored to law enforcement operations. Reconsidering the restoration of in-house legal support for GPD is not simply a return to the past. It is a strategic step toward ensuring accountability, efficiency, and legal compliance in an increasingly demanding public safety environment.

Why Bill No. 158-38 is critically needed. One, restoring a necessary function. This bill aims to address the unintended consequences of revoking GPD's authority to retain in-house legal counsel. The need for such support has not diminished. In fact, it has increased. As law enforcement becomes more regulated and legally complex, GPD must be equipped with professional legal support that is available daily, understands our operational realities, and is directly accountable to the department's leadership. Two, timely and reliable legal support for law enforcement decisions. Legal issues related to police work ranging from arrest and search warrants to policy compliance, labor matters, and civil litigation require immediate attention. Without internal legal counsel, GPD often experiences delays while waiting for assistance from external sources, which can lead to procedural errors, uncertainty for officers, and increased potential liability. Having an in-house staff attorney ensures real-time legal review, risk mitigation, and better-informed operational decisions. Three, reducing the legal burden on non-legal personnel. Currently, personnel at the Guam Police Department, many of whom are uniformed officers, are tasked with drafting legal responses, interpreting legal documents, and engaging in legal correspondence with courts, the Civil Service Commission, and attorneys. This approach is inefficient and unsustainable as it diverts sworn officers from their primary responsibilities. Hiring an in-house attorney would centralize and professionalize these legal functions, allowing command and frontline officers to concentrate on public safety. Four, strengthening policy, training, and accountability. In-house legal counsel will not only address reactive legal issues, but will also proactively assist in developing and reviewing policies, providing legal training, and ensuring compliance with local and federal mandates, including FOIA, Brady-Giglio Disclosure Rules, and labor laws. This role is essential for maintaining professionalism, transparency, and lawful operations in modern policing.

Since January 2023 to date, our legal affairs section, which is staffed by a sworn police officer, has had to process the following. Procurements, 697, Giglio-Brady requests, 26, Civil Service Commission cases, 11, Internal Affairs cases, 270, Active lawsuits, two. Total lawsuits in the past three years, four, Freedom of Information Act requests, FOIA, 81, MOUs and MOAs, 22. Pending legal opinions sent to the AGs, only two.

Fiscal note. In accordance with 9102 and 9103, Chapter 9, Title II of GPD, the department has prepared the following fiscal note to outline the estimated costs associated with implementing the authority granted by this bill. The department confirms that there's currently no funding available in its FY20 budget, 2025 budget, to cover the costs. The total estimated cost impact is \$186,263.16, and there's a complete breakdown in the testimony provided. The total reflects the minimum investment required to onboard, equip, and operationalize a dedicated legal position within the department. While the cost is significant, the benefits greatly outweigh the cost. This includes the risk of potential lawsuits, delayed or inadequate legal responses, and diminished confidence in the department's legal integrity.

In conclusion, our agency is responsible for enforcing the law around the clock. It is unacceptable that the Guam Police Department lacks immediate in-house legal support. The previous authorization for legal counsel within the department was eliminated without explanation, leaving GPD at a critical disadvantage. Bill number 158-38 aims to rectify this issue. On behalf of the Guam Police Department, we respectfully urge this committee and the members of the 38th Guam Legislature to restore this vital authority and support the passage of

this bill. This is not just an investment in the department, it is an investment in justice, safety, and sound governance of public law enforcement in Guam. We are also committed to collaborating with this committee and the entire 38th Guam Legislature to help the Guam Police Department achieve objectives for a safer community. Thank you for the opportunity.

Chairman Gumataotao: Thank you so much. I'm sorry, thank you so much, Chief, for your testimony, and to your senior team, the command staff, and all the men and women of the Guam Police Department, those that are here, thank you again for your service to the people of Guam, and obviously in supporting all of the public safety needs of this community. At this time, we're gonna go through the question and answers from my colleagues here, and the Vice Speaker, and the author of the bill is asked to go last, so I'll begin with our committee member that's up here at this time, Senator Sabrina Salas-Matanane, you are recognized.

Senator Sabrina Salas-Matanane: Thank you, Mr. Chair. Just to read up on your testimony, Chief, on point number two, timely and reliable legal support for law enforcement decisions. You said that GPD often experiences delays while waiting for assistance. How long of a delay, and how has it impacted, I guess, any of your investigations, or anything that you're trying to accomplish?

Chief of Police Stephen Ignacio: Well, see, you know, sometimes we need legal guidance in the middle of the night. We're investigating homicides, robberies, or some other criminal cases, and so we'd have to work with the AG's office, and thankfully, the AG does answer his phone, but again, having that prior experience, I've been in the department long enough where we've had in-house legal counsel, and if we had any legal or procedural questions, we'd always have Jim Mitchell, Phil Tydingco, or even Jonathan Quan, who was actually from the AG TDY to the Guam Police Department, are always available 24-7, so it's having that ability to know that when legal matters come up, we have the ability to get legal answers right away. Can you provide, though, an example where this delay may have impacted an investigation?

Chief of Police Stephen Ignacio: Not specifically, not off the bat, but you know, I do know that, for example, I'm in transition right now of trying to move my evidence control section, because we're gonna be building a new building up in Yigo. I have evidence in criminal cases that are decades, decades old. You know, a bat from an aggravated assault, a stick, you know, from a bar fight or whatever, and we've submitted a long list and I've gone through at least, even prior to this AG, I've gone through a list of chief prosecutors that I've given that really very thick list of evidence that we're just holding on to for no reason. There's no prosecution, prosecution done, but we don't release evidence unless we get the Attorney General's Office to sign off on it. That has been, since six years ago when I joined the Guam Police Department as chief, we've been trying to clear our evidence section. I have cars, traffic fatalities, arrests made, convictions already done. I have cars that, when I came in, I had to clear a lot of like 67 cars because they were just sitting around, not doing anything. They have no legal evidential value as far as I'm concerned because we've had them for decades and they haven't gone anywhere. So as we move to build that new evidence section in Yigo, what I don't want to do is carry junk really to the new facility when it's not evidence anymore, but I can't get rid of it unless I get an AG for the chief prosecutor to sign off on it. And it's a matter I brought up with, like I said, previous AGs, this AG and previous chief prosecutors is too many to name. To name.

Senator Sabrina Salas-Matanane: Well, one thing about this bill is it does kind of bring to the forefront, bring to light some of the legal kind of delays and issues that different agencies are having. For example, with the Department of Public Health and Social Services, a couple of weeks ago when they appeared before the legislature on their budget oversight hearing, they were requesting or expressing the dire need to also hire an in-house legal counsel. And they provided documents, at least to my office, about several cases that have been, not cases, contracts and other issues that have been delayed. And AG, some of these cases since December, or I'm sorry, contracts since December of last year. And so I have not yet introduced a bill just yet regarding the authority to hire an in-house counsel for public health, but I have been working on it. So, Mr. AG, if you could provide us some information, I guess, on where you are with filling some of these, or hiring attorneys, because you did provide this breakdown and maybe you could share it with the public on where you are in terms of recruiting and hiring.

Attorney General Douglas Moylan: Thank you, Senator Matanane. I'm gonna preface this by saying that of all the departments and all the cabinet officials in our government, this person is the most honest individual that I've had dealings with. He's like a brother to me. We're together fighting the criminals out there, the meth addicts, the wave of crime that's going on on Guam, a lot of it tied to repeat criminals and meth addicts. So it's with this response that I'm putting on my civil hat as well as the criminal hat that the Congress and you senators have provided in a single attorney general. When you wanna buy a Rolls Royce, you better have the money for it. When you can't have the money for it, and I know Hyundai's gonna take me out for this, you buy a Hyundai, you buy a motorcycle, you buy what you can afford. In the budget bill, and with Senator Duenas' tough committee that we've gone before to justify the funds that we're getting, we're basically just floating the last two attorney generals' budgets. We're getting by with what we've got. The government of Guam is not the federal government that can print money. We don't have the money to hire 96 attorneys, investigators, paralegals, staff, a larger office, and everything associated with the law firm. What I'm hearing today is what I would love to have, a fleet of 96 attorneys with that entire staff of attorneys. So, Government of Guam is facing two major critical problems. We were bled dry with COVID. We don't have enough attorneys in the bar, and this isn't me saying it. As recently as Judge Sukola's award that she recently received, two of the judges on the panel specifically said, Guam doesn't have enough attorneys. What do you do when you don't have enough attorneys? You do triage, you do short-term, long-term goals. Maslow's hierarchy of needs. When people are dying because of meth addicts out there, when we're getting terrorized every weekend because of the Guam Police Department having to respond to a meth addict that's going and shooting somebody in the head and dumping their body in Talofofo on the side of the road, us seeing on viral videos, things that you don't even wanna show your children is on the internet about a Guamanian, a Chamorro, a resident of Guam being murdered. What do you do? You hire the prosecutors. When I took over the AG's office two and a half years ago, I had eight prosecutors. When I left 20 years ago, we had 13 and a smaller size. We didn't have a crime problem back then. We've got a meth epidemic going now. So we've got, I started with eight, just checked right now. We have 20 prosecutors, 20 prosecutors. That is an amazing feat for my staff that has brought into Guam, and most of all of them are brought in from the United States, because Guam doesn't have enough. I know what the chief is saying. We're not perfect.

I'm not perfect. But together as a team, we have been providing services. 96, we have 40, about 42 attorneys right now in that office. Most of them are prosecutors right now. We have eight divisions. Eight divisions encompasses everything that you senators have told me to do as the attorney general.

And with the team, and I have got Lee Miller and Alberto to my right here, they are holding down our civil work, along with Joe Guthrie, who's in court right now. To manage a law firm when you've got criminal and civil, by the way, no other law firm on Guam has criminal prosecution authority. So I don't care how much, the even the autonomous agencies, especially the autonomous agencies, who have this authority to hire a private attorney to pick up the phone and say, hey, Goju, you wanna come over? I got the money, and you don't have to be under that guy that's in the attorney general's office. That is a drain on our people of Guam and no authority. They can't, when somebody comes in, like what happened in the port, where somebody was assaulted down there in the news, that attorney cannot say, we're gonna get a prosecutor to prosecute them in the Port Authority of Guam. They're not prosecutors. They're hired guns for some non-elected cabinet official or board that tells them what to do. You achieved my goal. Well, what does that do to me as the attorney general when I'm using the same taxpayer dollars and say, we disagree with that, and we'll see you in court? Guess who's paying for it on both ends? You, me, all of us are paying for that attorney in the attorney general's office and my staff and that Port Authority of Guam attorney because we're fighting in court.

That's what I talked about, and this isn't new. This is from the National Association of AGs where all of us get together, and it comes from England, quite frankly, and the federal government. You have one attorney general that is chosen either by the king, the president, or elected by the people. Most every attorney general in the United States and district attorney are all elected. We're directly accountable. So as much as I respect, and I love this guy right next to me, you can't do this to our government. We can't afford the Rolls Royce, and we start parceling out public health. They're coming in to you every day, every department saying, we're not getting as fast service as we need from this attorney general, and we want to hire an attorney. It's not necessarily the hiring of the attorney that I'm worried about. It's the lack of control of an elected attorney general. I ran on a platform primarily, Toughest AG on crime. That is what the people needed. That is what the people wanted, and that is what we're giving them. But there's also six other divisions in that office that deal with civil matters, providing the contract review, going to court to litigate cases, and so forth. And this is with respect to the chief, but any director can be in a situation. They hire one attorney. It's not 158,000. It's gonna be at least 250,000, because you're gonna have to get the legal secretary, you're gonna have to have the budget to go into court, all the costs associated. It's what a law firm provides. When you have one law firm, everything is centralized and it's cheaper. But more so, what happens when there's a conflict? We're in district court right now as the AG's office, and there's, I think, six now officers that are being sued. Well, guys, you're gonna have to hire six lawyers for each one of them in case they conflict out. The law protects an Attorney General's office that the attorney general can actually do that, assign you from that division, assign you from that division, assign you from that division. Under the model that the directors are coming to you for, you can't do that. You're gonna be having not only, and by the way, that's why I say even 250,000 isn't enough. When you have a lot of litigation going on, you're gonna have to hire your own private attorneys, probably gonna conflict it out anyways, because that attorney's gonna have to represent the department. Then you're gonna have to hire six other attorneys for each one of them, and get ready for the cost to come in, because that's by the hour that they're gonna charge the people of Guam.

The Attorney General's office, that's the third element I talked about. One attorney general, that's assistant attorney general's salaried employees. So there's many different aspects to this, Senator Matanane, but the bottom line is, do you have the money to buy a Rolls-Royce? Guam doesn't have the money. We can't even open the schools right now because of the federal government clawing back money. We're trying to build a hospital, and we can't even afford the current hospital.

That's the insanity of what I'm seeing at the AG's office. But what do I do? I call up my chief prosecutor group, and I say, do you have enough prosecutors? And this is where the chief and I overlap. Half of his work is making sure the criminals get put into jail. That's why I answer that phone, because I'm dealing with the murders. I'm dealing with 24-7 criminal prosecution issues. When they need search warrants and other things, I send it off to the staff as requested. When you got a FOIA Act request, where they want the documents in four working days, I send it off to the solicitors. We're not perfect. I can't get this stuff out quickly, but I do take phone calls, especially from this man. If he needs something quickly, I give it to him, because he is an honest and reputable person, and his officers are doing a great job. So as much as I don't like to oppose this bill, I think that it's important to point out the nuts and bolts of what's going on. And guys, the bottom line is, there was a reason why in 1998 era that Robert Underwood went to Congress and said, make the Attorney General like the Governor of Guam. Make the Public Auditor like the Governor of Guam. Put them in the Organic Act. You cannot remove me, even if I had all the governors, senators up here, wanting that bill that you guys got, to separate my authority. Congress gives us, that's our constitution. Agree with it or don't agree with it. That's our constitution. You go to federal court; they'll slap you on the back of your hand if you try to violate that Organic Act. That's what we're talking about here. Chief legal officer of the governor of Guam, chief prosecutor, chief law enforcement officer of the Government of Guam. What is difficult about that equation? When you have a public health coming in here and saying that I want to hire my attorney, what's my title for? If I can't be the single attorney for the entire government of Guam.

So that's all the stuff that goes behind what we see in this bill. And by the way, Tom Mitchell, Attorney Mitchell, James Mitchell, worked for me 20 years ago. It was after I left when then governor, we had an attack on the AG's office. The first elected, they were trying to figure out what were the powers and duties, what's the role of the Attorney General and so forth. That's why it went back to the Attorney General because it's unconstitutional to take away the authority of the Attorney General. Why didn't I even run for this job? I should have just been in private practice and just, you guys call me up, I'll charge you by the hour and I'll do what you want. The Attorney General doesn't do what you want. The Attorney General protects the people of Guam, follows the law and does what you guys tell me to do. So 96 attorneys is what I need as a budget to provide the chief what he wants. But even then, if you guys give the Chief the money for it, I will commit to him today, and especially I'm absorbing everything that he said. I do almost daily phone calls to the states on the people that are turning in their applications to us to filter out the best of the best that I can find. I will commit to you senators and Mr. Chairman to recruit an attorney for the Chief of Police's use but under the Attorney General of Guam, the elected Attorney General of Guam, the people of Guam. And I asked if you're gonna do this bill, just please send over the money because it's gonna cut short other needs in the office. And again, I have a staff of solicitors. They get, what is it, 50 departments, agencies and boards in the government daily. They get all that coming in. We try to prioritize it by need, importance. One of

the mayors just contacted me yesterday. There's a priority that they need. And public health, I get their officials literally coming down to my office to harass us, stand in front of the clerks and demand to see the Solicitor General in our office. That's how, that's literally two weeks ago. You know, I get a phone call. There's somebody down in third floor demanding to get their contract out for Public Health. Give me a break. What about the other departments and agencies? Let's look at the triage that goes on in the solicitor's division. How important is it? I get it. You know, I'm trying to provide all the legal services needed. So, thank you, Senator.

Senator Sabrina Salas-Matanane: Thank you, Attorney General. Just a couple of things to respond to on the points that you said. That's one of the reasons why, I guess, I've been kind of waiting on introducing the bill regarding public health because of the line with the Organic Act and not overstepping it. But one of the things that really stands out to me was your talk about money, hiring and prioritizing. And so, that's something that some members here in the 38th Guam legislature and the majority have been working on in looking at the numbers and prioritizing the responsibilities of the different government agencies and what takes priority. You mentioned education, healthcare, public safety. Those are things that I've been working on in prioritizing along with other senators. And I think you will be surprised in the next coming a few days, possibly weeks, on what we come up with to demonstrate and show the people of Guam what truly should be the priority. And what you said, it is education, it is public safety and it is healthcare along with our economy. So, thank you so much, Mr. Chair. Thank you, Senator Ada, for introducing this bill. Thank you, Chief and everybody that's here with us today, especially our men and women in uniform. Thank you for everything that you do for the people of Guam to keep us safe.

Chairman Gumataotao: Thank you, Senator Salas-Matanane. And before I move on, I want to recognize also my colleague that has joined us this morning, Senator Shelly Calvo. Thank you for being with us this morning as well. Moving on now, I'd like to recognize Senator Telo Taitague. You are now recognized. And good morning to you.

Senator Telo Taitague: Good morning, Senator and Chairman. And good morning to my colleagues. Of course, the men in blue and the women in blue, good morning, the Attorney General's Office. I feel really safe right now sitting here. Thank you so much for your dedication to the people of Guam and keeping us safe. You know, I just have a question, Attorney General. The Rev and Tax, they have like, what, three, four attorneys that were hired by Rev and Tax. I heard that there was a request for somebody from the Attorney General to actually go to Rev and Tax, even though they have that many attorneys over there. Is there a request from an assistant from the Attorney General's Office to go to Rev and Tax to assist them for something?

Attorney General Douglas Moylan: Thank you, Senator, for the question. Rev and Tax is a, a, it's not considered like the Department of, the Guam Police Department or other departments. The Department of Revenue and Tax, specifically the Governor, has control over taxation on Guam. The criminal side of it, I believe our office still has control in terms of the decisions to be made. You are correct. When I came in, there was a outflowing of the last administration's attorneys to the governor. I believe three of them went up to the

Department of Revenue and Taxation. There has been communications between our solicitor's division cooperatively with the Department of Revenue and Taxation on different issues. So I'm trying to remember specifically if there was an incident where one of our attorneys, one of them may have,

Senator Telo Taitague: Is assisting them...

Attorney General Douglas Moylan: One of them may have gone up there.

Senator Telo Taitague: Yeah, it just boggles me. I mean, here's this agency with three attorneys, three attorneys, and then they still tried to use the Attorney General's office.

Attorney General Douglas Moylan: Yes, that is occurring, and we remind them that why are you at Revenue and Tax if you can't serve the taxation purposes? And I'm trying to remember the name that, he was the end-all, be-all on Guam for taxation 20 years ago. He's since moved on, but I mean, yeah, they only had one attorney, and you were lucky if you had a tax attorney on Guam. I think there's very few of them. Bob Torres, the Chief Justice, was one of the tax attorneys. He's now the chief justice. But I mean, there was Attorney Taitano, I think there's another one. So they're very few and far between. They're highly specialized in the Internal Revenue Code, understanding all the changes. So you are correct. I don't think those people are up there or able to be the tax attorney that Revenue and Tax had been using in the past. But they are contacting our office for different purposes.

Senator Telo Taitague: Yeah, and if I'm not mistaken, they are not tax attorneys in the first place. So maybe they can assist GPD and come over there. I mean, they have tons of them there. But you know, I do have a concern. You know, I was in the 30th Guam legislature, along with one of my other colleagues, when we overridden the veto of the governor at the time on the bill that would repeal the attorney there because of lack of attorneys and the cost. It was very costly. It was overridden, and even by the senators. You know, 14, I think one was absent. 14 overridden it for a reason. And we're in the same predicament today. I mean, even worse. Because when, you know, we've grown this government so much because of COVID and because of all this federal fund that was coming in and stacking it up. It's just grown. So we have to cut, and we're gonna have to cut somewhere. You know, I've been going through the budget, looking at places that we can cut. Now, I did have on my comment to actually, you know, have a dedicated individual from the Attorney General's office dedicated to GPD. And if that's the case, I mean, Chief, how are you going to, you know, cover this \$186,000 price tag for this attorney? Is it already in your budget bill that you provided for FY26? Or do you have some excess revenue that you can cover it for one year at least?

Chief of Police Stephen Ignacio: In my testimony, we don't have the money to cover for it. But that's something I can go back and work with my administrative services officers. Again, you know, we do have officers that resign, retire. And so, you know, there's extra money, you know, when those salaries are not being used for that person anymore. So there's a possibility for us to cover it.

Senator Telo Taitague: But it's not in the FY26, but your FY26...

Chief of Police Stephen Ignacio: Yeah, we weren't tracking this to be introduced, but it's something now. And that's why we pointed out that we would also request funding for it.

Senator Telo Taitague: You know, when the question was asked by one of my colleagues, you know, can you name an incident, you know, that's really in dire need? I was really shocked because if it was such in dire need, you would have had a list in front of you of exactly circumstances that you have where you needed the attorney right away and they were not able to provide you assistance, but you couldn't even mention that. So I was really, you know, surprised. If someone is in dire need, they would at least say that.

Senator Telo Taitague: Give me the SOP on clearance of evidence. What is the standing operating procedures for clearance of evidence that you said you had six years of boxes of evidence trying to get rid of?

Chief of Police Stephen Ignacio: No, so when I came in in 2019, one of the things that we've been trying to tackle is clearing out our evidence section. We have evidence from 20, 30 years ago when I came in that whole area across the United Hangar. If you remember, if you've ever visited that place, the Guam Police Department used to store impounded vehicles there. And let me tell you, it was a mess when I came in in 2019. And I had to...we had to work hard to clear that. I think 67 cars, traffic fatalities, criminal investigations, other impounded vehicles. And, you know, we were sitting on, you know, there wasn't even an authorized, remember, GPD does not own an authorized, functioning, licensed impound lot. But yet we go around treating different places like impound lots. The crime lab up in Mangilao is full. Bula kareta esta, we don't have any more space to park it. We use Bello Road; the other evidence control section. It's another place where we have cars, we have cars stacked on top of cars. We need to get rid of them, but unless I can get, you know, the proper legal authorization to get rid of it because they were confiscated or impounded as evidence, I can't get rid of it. I have bats, sticks, knives, you know, from decades ago. When I move into the new building, I don't think it makes any sense to bring evidence, bats, knives, sticks, that the case has been adjudicated, probably never prosecuted. You know, we confiscated it because it was used in a crime, but we have no need for it anymore. So those are the kind of things that I need to clear, get rid of, you know, and that's the kind of stuff I talked about, you know...

Senator Telo Taitague: So can you explain to me, though, what is your process in doing it that the Attorney General, it's making it sound like in order for you to get rid of this, it's the hindrance of the Attorney General that's not allowing you?

Chief of Police Stephen Ignacio: Yes, because remember, that's his role and function.

Senator Telo Taitague: Okay, so.

Chief of Police Stephen Ignacio: He's the chief prosecutor, and so he has to clear evidence.

Senator Telo Taitague: Okay, so then you have to go to him to get rid of evidence.

Chief of Police Stephen Ignacio: Right, absolutely.

Senator Telo Taitague: Okay, attorney general, can you respond?

Attorney General Douglas Moylan: So thank you, and this is an example of why an attorney at GPD would be useless because they don't prosecute, they don't go to trial, they don't go through the whole discovery with the judiciary. It's the attorney general prosecutors that do that. So the Chief is right. Since he came, since I came into office in 2023, we've had at least two meetings. They need to reduce the load of inventory, and I'm in agreement, we gotta get rid of that stuff. So the process is normally, you know, they've got the inventory control. They send, you get a victim, oftentimes, or a defendant coming and filling out the form, and I think we have it online, and then it gets sent to our office, and then our prosecutor looks at it, that's assigned to the case, and then decides whether we keep it or we don't keep it. Guys, this is why I'm saying, or excuse me, ladies and gentlemen, this is why I'm saying, COVID really messed, talk to the courts. How bad COVID pushed everything back? The trials, the defendants, waiving speedy trial, cases that are more than five years old, four years old, talk to the judiciary administrator. They'll give you a rundown on how many cases are pre-trial.

The prosecutors normally don't wanna release evidence if we got a trial coming up because we're gonna lose the trial when the defense attorney says, where's the evidence? Oh, we released it, that sort of thing. So, but we can also document it. There's ways to deal with it. It just requires administrative man hours on our side to clear up their inventory. So again, I'm not perfect, we're not perfect, but when I got a trial where there's a whole bunch of defense attorneys on all four criminal court judges asserting speedy trial, where I need four defense attorneys and all the staff to win that, I'm sorry, I can't look at the inventory control for my prosecutors. We gotta do the daily magistrates and I'm asking to pass the anti-crime bill. Stop letting us have to deal with the weekends. The chief of police the attorney generals and the court don't count weekends for the 48-hour magistrates. So much of our energy at the office is getting prosecutors to come in, what is it? Six days a week in order to deal with the magistrates. That pulls away my prosecutors from sitting down, looking at the case. You don't just look at a case and say, oh, I got an inventory release and say, oh, we're gonna release it or not release it. You need to pull the file in, bring the investigator in, talk about where the case is at, then decide, do we need this or not? Because you're being told to predict what the trial is gonna look like right now because you've got an inventory release form.

But the chief is right. Not only don't they have an impound lot, and by the way, please fund an impound lot for them because if I put between the difference between keeping a car that has a murder scene, the blood on it and everything, and not keeping it, we need to keep it. Or meth that was in that car that the defense attorney's gonna try to dismiss the case because we don't have the car that was involved in it. They need an impound lot. They need the money for it to rent it. They need a piece of property. But we're talking money again. So he needs something, we're the lawyers, we got the law firm, we got the infrastructure for this. The best economic way of doing it, short-term plan, fund the AG's office, and then let us work on it. But I'm making, by the way, I'm making a list here on how I can better help the chief. I'm gonna talk to the staff in there to see what we can do for the inventory control. But that has nothing to do with the bill because that attorney at the police department won't be able to clear the evidence. He's not a prosecutor. What I highlighted earlier, he can't enforce the criminal laws. He's not gonna do the criminal trial. It's gonna be the AG's office.

Senator Telo Taitague: Okay, can you actually have an individual from your office, Attorney General, to be dedicated to the Guam Police Department?

Attorney General Douglas Moylan: If you give me the funding for it, I can. I need 96 attorneys. It's in the budget bill. The money is there. We're nowhere close to that. We're at a \$20 million budget. We probably need \$40 to \$50 million for the AG's office to even come close to 96. We only have 40 attorneys.

So you guys tell me, when we get a murder that can happen today because of some meth addict going off on a binge, do I take that attorney, my prosecutor, and put him at the Guam Police Department, who can't even do a trial because he's dealing with all the administrative work, or do we go into the court and get that magistrate done so that guy gets a court order, gets put in prison, versus if we don't charge him in 48 hours, he's free? That murderer is on the street.

Senator Telo Taitague: Chief, do you actually have an attorney standing by ready to work for the Guam Police Department?

Chief of Police Stephen Ignacio: No, ma'am.

Senator Telo Taitague: It's very difficult to find one, I can tell you that. I oversee judiciary as well, and they're having issues in that scenario too as well. I know my time is almost up, Mr. Chair, but I think we need to find a solution here that's a win-win. One of the biggest things that I've always tackled, and you know, Chief, I've been brought to you about the impound lot, about providing an evidence base for you. I mean, I'm trying to work with you on that, and we can't seem to find a location. That's the problem here. And then the money, you know, once we find the location, then the money that comes into play, and right now we have to cut a lot of areas. So I'm asking the Attorney General's Office at your oversight to assist the GPD with getting rid of those evidence that is no longer needed.

Attorney General Douglas Moylan: Absolutely.

Senator Telo Taitague: And work with him closely on that, because that's always been a thorn in his side. And at the same time, if we can find a way to, a win-win here, utilizing an Attorney General that's dedicated to GPD, I think that will cover everything, even on the unconstitutionality and keeping what we put in place, which was hiring an Attorney General by the people of Guam, not making this political, because that's what's happening, you know? It's become very political, and it's cost who? The people of Guam. The money, our money, that can go to places in our agencies and assist the people of Guam with their needs. But no, sometimes this becomes very political because somebody doesn't like somebody else, and they wanna mess with it that way. And I don't, I see it, and I'm not gonna agree to this type of mismanagement of funding just because somebody doesn't like somebody. So, thank you, Mr. Chair, for the opportunity, and again, thank you for the men and women in blue and of the Attorney General's office. Thank you.

Chairman Gumataotao: Thank you, Senator Taitague. We thank you, and moving on now, we now ask Senator Chris Duenas. I recognize you, and good morning to you, Senator.

Senator Chris Duenas: Si Yu'os ma'ase Mr. Chairman, and Senators, and of course, our Attorney General, our Chief of Police. You know, this is a classic situation, really. You have a law that was in place for legal counsel, the history shows, for the Guam Police Department. You have another law, that bill that became law, that removed that attorney, and now we're back looking to restore a law. But what I see common here throughout the entire discussion is this really boils down to legal services. And I can sympathize with the Chief and the Attorney General, because really what you're talking about here is the ability to have legal counsel for the purposes of the very important work that you do to shield the officers and the work that they're doing, and the vital work that they're doing.

Like the Attorney General said, you're not gonna be taking an attorney for the purpose of an attorney that's gonna go to court and prosecute criminals, and do that kind of extraneous work outside of, but what they do need is they need the ability to process contracts, they do need the ability for the officers to build their cases and their information, and they do need the service. So this is the classic impasse that I see here. I don't think I need to belabor the point in terms of where we're at, because I'm just gonna say the common theme and the common issue is legal representation and legal services. So I think that's gonna be the challenge of the committee on the markup with the bill. And you know, General, this is really, it's been a tug of war government-wide, because you have autonomous agencies that have their attorneys. You have special circumstances to which we have attorneys in this government that are using government revenue and resources, whether it be generated through fees because of their autonomy, or whether it be generated by the general fund appropriations from this body. So there's no uniform answer right now because it's all over the place, but I think in this case, certainly the markup and the discussion, and certainly going forward, we're gonna have to find a way to, to heal this impasse, to ensure that what you're requesting General, is saying that I need these services, but there also has to be a clear delineation, too, with the legal services that the executive agencies require. You know, and and it is true, that can get caught up in political banter, but at the core is the service is required and needed because of timely issuances of procurement and things like that, and also for the very integral work that people in law enforcement, like you said, you're prosecuting, you're getting rid of the bad guys, you're doing what you need to do court-wise. These guys are on the front line because they're doing everything to scoop those guys up and get them to you in a way that they can effectuate the law. So I'm just commenting because I think this is gonna be the work of the committee, and also this is the work of the legislature, and hopefully the executive branch going forward, you know, to say we're gonna find a resolution to this, if that's fully funding the Attorney General's office, you know, as the body, or how else this impasse can be, you know, brought to pass to eliminate.

Attorney General Douglas Moylan: And Senator, may I just put it on the table here? If you give us the funding, and I'm not even saying 158,000 because I can find lesser attorneys for the, and still do the work, you give us the funding, I will commit to the Chief and to the officers here, I will recruit an attorney specifically, full-time, we'll go into MOU with the Chief, and hire him. Because you will specifically tell me, hire this attorney for the Chief, and this is the funding for it.

Senator Chris Duenas: And that's where I'm saying, in my mind, with the way I'm envisioning that, if we do it as this bill being the catalyst for that is, is constructing somehow a definition that's in the law, that's clear in terms of the services provided. Because.

Attorney General Douglas Moylan: Simple, just give the funding. Yeah. And I'll do it. Because we don't need the statute to do that.

Senator Chris Duenas: Because what I'm saying, General, is I will tell you, and you're gonna see it, as other Senators said, 50 million's off the table. I mean, that's just not gonna happen. It's not feasible, it's not in the budget. It's just not there. So my point is, is that as we attack this situation, what I'm seeing is entities coming before us, saying we need these legal services. This would be the cost. You know, that's the portability, basically. Where is that attorney? What work are they doing? And I think that's the impasse that the agencies have had, is the discussion of, you know, if it's coming out of the Attorney General's office, and we don't feel like we're getting the representation, and the legal services we need, then I think that's really what's driving this.

Attorney General Douglas Moylan: Absolutely, I hear the pain, but when you don't have the supply, you can't meet the demand. And that's why I keep alluding to the Supreme Court of Guam. We don't, even the indigent defense, when I came in 2020, it fell apart. There wasn't enough attorneys to even represent the defendants. But I mean, okay, so the Chief is here. We're here today to talk about it. Provide the funding. I will commit to you, as the Attorney General, he'll get his funding, no bills need to be passed. He'll get his attorney. And I'll probably, within 30 days, I can recruit one from the states to get in.

But tomorrow, you're gonna get public health, and that's fine. Public health wants to come in and get their own attorney, as long as they're under the AG's office. I'll recruit another one for public health, and then we're gonna have Customs coming in, wanting their attorney. Then we're gonna have another one coming in. This guy is doing the best. He's creating the most impact for Guam by keeping us safe. So to me, I'm in full agreement. We need to get him his own counsel, like Jim Mitchell was, when we assigned him over there, way back 20 years ago. So this is the priority, but that's your decision, on what are the priorities of government. Public health comes in and satisfies your need, an additional 150,000, whatever, I'll do it. But you see, this is what the AG's offices in the past have done. I did it 20 years ago, but we had lawyers to do it with. And then we had the funding, too. So usually what is done is that we have one attorney for two departments, depending upon their needs, but the chief, clearly, it looks like they need a, because, you know, they're arresting people, the defense attorneys, people wanting to sue his staff, stuff like that, but I mean, but yeah, I'll leave it up to you, senators. It will be done, but you don't need the statute to do it. I just need the funding.

Senator Chris Duenas: Mr. Chair, I'm convinced that the author of this bill and the co-sponsors, along with your committee, will do a responsible markup on this bill going forward. We're gonna have to find a solution, and that's where it will lie. Chief, Mr. AG, I know we'll be communicating through the process of this bill and see if there's any way that we can, you know, form a solution that's amicable for both sides. Thank you, Mr. Chair.

Chairman Gumataotao: Thank you, Senator Duenas, and I appreciate your, you being here today. I now ask Senator Barnett, good morning to you, and you have the floor. Thank you.

Senator Chris Barnett: Si Yu'os ma'ase Mr. Chair, for the opportunity to speak this morning, and I as well, just wanted to officially lodge my deepest condolences to the people of the CNMI and the family of the late Governor Arnold Palacios, just officially on the record, sir. And wow, Mr. AG, I liked your characterization that you're sitting next to your brother, and, you know, I've seen brothers disagree before, and it's usually worse than what we're seeing this morning, so thank you for that. And, you know, as a co-sponsor of the bill, I just have to say, I'm not trying, in your testimony, you said that the bill supports the governor's attack upon my hiring prosecutors and assistant AGs as the people's mandated that I do to serve and protect them. You have my support 100% in co-sponsoring this bill. We're really just listening to the concerns of the chief, and, you know, this is the process, so I'm very grateful that we're kind of hearing the other shoe drop this morning and getting your perspective on this. And I'm also encouraged by the good news, the increase in the hiring of prosecutors at your office. I know that when you were short, it was making the headlines, so I'm hoping that you could get equal coverage on that, because that's definitely a positive. And I think that's really the meat and potatoes of what your office is designed to do, but there is that kind of unsexy part about the contract review, FOIA requests, and so I kind of just wanted to ask, because when the chief says that since January of 23, the legal affairs section, which is staffed by sworn police officers, had to process the following, and you have the testimony, so I won't belabor the point and go through the number of things they said they had to process. So at any time in this period, was your office approached? And then I guess I'll ask Chief Ignacio first, yeah.

Chief of Police Stephen Ignacio: Yes. Of course, I still have to reach out to the Attorney General's office. FOIAs, we get FOIAs that we're not very clear on. Again, we're not lawyers, so we would reach out to the Attorney General's office. And we haven't established a relationship with them, but again, having the in-house, we wouldn't have to reach out to them. But to the General's point, yes, he is available when we call him, and so I'd like to thank him and his staff. They're always answering their phones when we call them. But again, we're just one of many agencies, and so just like anything else, like he said, things have to be prioritized. And so we've had many civil service cases recently where we've had the need and the use for an attorney down there, yeah.

Senator Chris Barnett: So the Attorney General has committed on the record to recruit someone specifically for the department. I think the window I heard was 30 days. Are you satisfied with that information? Because that's something new that we're hearing this morning. Yeah, again, this is old news to me that he's gonna offer up an AG to hire, to be assigned to us.

Remember Jonathan Quan? He was from the AG's office, and he was assigned to the Guam Police Department. But of course, he was given a job as a magistrate judge, so that's the reason why he left us. And since then, we've been trying to fill that void with the loss of attorney or Judge Quan. Again, like we go through history, Jim Mitchell, Phil Tydingco, the late Senator Robert Klitzke was one of our first legal counsels during, I think, Chief Sgambelluri's time. So we have a long history of having in-house legal counsel, and it was just something that we wanted to pursue.

Senator Chris Barnett: And I agree. I mean, I think having a counsel, whether it's in-house or someone detailed from the Attorney General's office, especially for a lot of these reviews and civil issues, really protects the department from exposure. Because I don't want to rub you the wrong way, Chief, but I've made FOIA requests to you, and I'm not satisfied that the justification

for the withholding of information was consistent with the law. And I think, with all due respect, that's what happens when you have people who aren't necessarily barred attorneys doing things that attorneys should do. AG, I wanted to ask you, in terms of recruitment, is it easier to recruit people to do this type of thing? I mean, I'm just thinking in my head, these are the people who are just out of the bar and they get stuck with two-foot high stack of contracts to review. So in terms of the challenges presented by recruiting prosecutors versus the type of attorney that would do specifically these contract reviews and procurements?

Attorney General Douglas Moylan: Let's talk in those terms logistically.

Senator Chris Barnett: Sure.

Attorney General Douglas Moylan: So you talk about a procurement document, right? So a procurement document, even if you had an in-house counsel that wasn't part of the AG's office, they're going to do what a clerk does. They're going to make sure that the procurement record's together, and guess who they're going to send it to? The Attorney General. But if it came out of the Attorney General's office, one of our MOU types we send you over there, that person could literally help with the procurement as a chief needs, and then sign off on my signature line and say that the Attorney General's office is reviewed, it goes to the next step. So, and yes, I can find attorneys that are within the 70,000 to 90,000 range, that this is administrative work. They're not going to be hired as prosecutors, but they're out there, and especially in the United States where we're getting the applications in. But I'm trying not to bring in the ones that cause additional issues, administratively, whatever. But I mean, find the best and the brightest, and bring them in to serve my client, which is all of us.

Senator Chris Barnett: Thank you for that, AG. And I think just as an aside, it's been pretty consistent what we're seeing in a lot of these public hearings is as the Finance Committee is really pushing for status quo budgets or reduced budgets, what we're seeing is people like Attorney General Doug Moylan, Chief of Police Steve Ignacio are coming before the body, and they're saying, hey, I can't get by on status quo. I need funds to hire attorneys. I need funds to just meet the critical services that our government's obligated to provide. So I just wanted to kind of state that. And you know, you characterize the relationship between you and the Chief as brothers, and I think that family fights sometimes, but also when we sit down and exchange our ideas in a setting like this and come up with what looks to me like a solution to the very valid and real challenges that GPD is facing in terms of legal review of the stated items in the Chief's testimony, and we can resolve these issues. I think that's what the people of Guam, they enjoy that when we can come together and work together and hammer out solutions despite our differences. So, Si Yu'os ma'ase, Mr. Chair, for the opportunity to speak this morning.

Chairman Gumataotao: Thank you so much, Senator Barnett. Senator Calvo, you are now recognized. Good morning to you, ma'am.

Senator Shelly Calvo: Good morning, Mr. Chair and Si Yu'os ma'ase.

Senator Shelly Calvo: Good morning, everyone. Buenas. Thank you for being here. Thank you for all your testimonies. And first, before my remarks, I wanted to thank each one of you here for your continued protection for the people of Guam, both GPD and OAG. You know, this bill, I co-sponsored this bill, so I thank the author for the invitation.

And I just wanted to state why I co-sponsored it. This bill comes from a place of good intention. You know, the whole purpose of this bill is truly not to undermine the great work that the AG's office is doing for the people of Guam and for our island, but truth be told, it's really to streamline the process, and that's why I support it. The intent of this is really to take care of legal issues, streamlining the process, and obviously reduce, help, not reduce, but help the AG's office as well, because it can free up the Office of Attorney General's focus on broader litigation and criminal prosecution duties by shifting civil advisory work to in-house GPD counsel. GPD could actually hire counsel focused on law enforcement-related civil issues, such as use of force policies, public records, labor matters, or liability claims. Technically, the whole intent is really just to give GPD real-time legal advice without waiting for any availability, but obviously, like I mentioned earlier, this is really not to undermine the Office of the General's great work, but just to streamline the process.

I don't really have further question at the moment, because obviously, we have tackled the concerns, and within the committee, I guess we're just gonna work, along with my other colleagues, we're gonna work on refining the bill and tightening the bill, and with consideration, in consideration of the AG's recommendation, and obviously, we're all here wanting to work together and give and offer what's best for the people of Guam, so on that note, we'll wait for the markup meeting and all the other recommendations and comments that will come in. Thank you so much, Mr. Chair. I appreciate the time.

Chairman Gumataotao: Thank you so much, Senator Calvo. Now, I will yield to the author of the bill for his questions. Vice Speaker Ada, you are recognized.

Vice Speaker Tony Ada: Thank you, Mr. Chair, and thank you to the Attorney General's office and to the men and women of GPD for being here today. A lot of good questions went back and forth, and perhaps a lot of commitments from the AG's office to provide to the Guam Police Department. I think that's why we're here, is that for that one reason, to ensure that GPD has legal representation, and you know, we haven't seen that for many years since the enactment of 30-202, 15 years ago, right, and perhaps even before that, so I personally am amenable to having the AG designate GPD's counsel.

However, I will amend the existing law to require the AG not to leave GPD without counsel, and we heard a commitment from the AG's office that that counsel will be committed to the Guam Police Department, and that means GPD will be made a priority. Double jeopardy means that if GPD makes a mistake, there's no second chance. At another trial, if a person, if a guilty person is acquitted because of improper investigations or handling of evidence, and that's what we're here, is just to hammer these things out, come down to a solution, working with each other, and both coming out with something that would be, like I said, important to the men and women in the department, and also to the Attorney General's office.

Lawsuits against the GPD can also be avoided with adequate representation to avoid complaints against the department and its officers. Again, it doesn't matter to me who provides the legal advice to the department. What does matter is that when GPD gets legal, that GPD gets legal advice when it's needed, first and foremost, and again, Mr. Chair, I thank the committee for hearing this bill. I thank the department and the AG's office for coming down to provide testimony. I look forward to working on the markups and coming out with something that both

the AG and the Guam Police Department will be accepting, and I believe that with the commitments made today by the Attorney General, working with the Chief of Police and the men and women, again, I'm just grateful that we got to this point, and like the Chair on the OFB has said, perhaps \$186,000 is easier to find than \$30 million, so we can at least work to doing that and providing the department with legal counsel that's needed.

Again, Mr. Chair, I thank you for this opportunity, and I thank everyone for being here today to testify on this bill. Thank you.

Chairman Gumataotao: Thank you, Mr. Chair. Thank you, Vice Speaker Ada. I just wanted to, before we close this out, I just wanted to make one, I guess, statement, if I would, and it's more of a clarification to the community, too. When I first was elected and when I first got sworn in, the first person I met with is the Attorney General of Guam. The second person that I met with when I first got sworn in is the other guy that's sitting next to him, the Chief of Police, and I think that I wanted to say that for the record, so the folks can understand that the synergy between the two, between the Office of the Attorney General and the Guam Police Department is absolutely critical to ensuring that we keep our community safe, and this bill is kind of what I was asking both of them, and I think that today, I think we're seeing that, believe it or not, seven months later, this conversation is now in the public square, if you will, but I can sense there's an absolute commitment to work together and to help this community be safe, and I think that most people, as we're watching, can probably attest. I just wanted to say that, if I could, for the record.

The Committee on Public Safety, unless there's anything else from our close, the Committee on Public Safety, Emergency Management, and your Guam National Guard appreciates the attendance and participation of all senators and community stakeholders in this Public Hearing on Bill 158-38 COR. The Committee will review the information that was received today during this hearing and communicate further with the relevant government and non-government entities, if necessary.

For those that are up here with me today, the Committee has tentatively scheduled a markup on Bill 158-38 COR on Monday, August 4th, 2025, at 10 a.m. at my legislative office, located at 120 Father Duenas Avenue, Capitol Plaza, Suite 103, here in Hagåtña. I would also encourage, first off, let me say that Committee members, which include the primary author of the bill, they're gonna be invited to participate in the markup, but I ask all of my colleagues, if you have anything that you would like to add based on the conversation today, I would hope that you would send it to my office as soon as possible and we can make sure that it is part of our process. The Committee will continue to accept written testimony on Bill 158-38 COR for the next five business days, or until Thursday, July 31st, 2025. Testimony may be submitted via email to my office at office.senatorshawn@guamlegislature.gov, through the Legislature Mailroom here at the Guam Congress Building. And if you haven't met them, they're absolutely very, very nice people. So when you're there, say hello and thank them for their continued service to the people of Guam. Or they may be delivered directly to my senatorial office in Hagåtña. And by the way, they're also pretty darn good too. So say hello and good morning to them as well, or good afternoon at that time.

With that said, this public hearing by the Committee on Public Safety, Emergency Management, and your Guam National Guard on Bill 158-38 COR is hereby adjourned. The time is now 9:52 a.m. Thank you all and have a great day.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Public Safety, Emergency Management, and Guam National Guard finds that Bill No. 158-38 (COR) as introduced authorizes the Guam Police Department (GPD) to employ an attorney as a full-time employee or independent consultant. The Bill requires among the qualifications of a GPD attorney, the applicant must also be admitted to practice law in Guam.

The Bill as introduced provides that GPD may employ an attorney to assist and represent the department in all civil matters. The Bill requires the Attorney General to represent GPD in litigation in which the department is interested, provided that the AG may designate GPD's attorney as a Special Assistant Attorney General for this purpose.

The Bill as introduced authorizes GPD to set the terms and conditions of employment of the attorney in accordance with 4 GCA § 6208 as a full-time employee. For reference, 4 GCA § 6208 (Government Attorneys Salaries) provides a salary schedule for full-time attorneys working for the Government of Guam, its agencies and instrumentalities (including autonomous agencies and instrumentalities), the Judiciary, and the Public Defender Service Corporation.

The Bill as introduced repeals Section 4 of Public Law 30-202 in its entirety. Section 4 requires the Attorney General to designate at least one of its attorneys to assist and represent the Guam Police Department in all civil matters. The Attorney General, or his or her designee, shall represent the GPD in administrative hearings or civil litigation in which the Department is interested, and also provide legal advice and guidance to GPD, as well as provide consultation to GPD on training and other police-related matters.

For reference, Bill No. 271-30 (LS) introduced on November 4, 2009 and vetoed on July 16, 2010 was overridden by all 14 senators present and voting of the 30th Guam Legislature on November 30, 2010 and subsequently enacted as Public Law 30-202. Public Law 30-202 found that funds appropriated to GPD for an in-house attorney can best be utilized if such funds are transferred to the Office of the Attorney General, to maximize the services of the attorney, through supervision, guidance and support of the Attorney General.

Through its legislative oversight chairperson, the Office of the Attorney General (OAG) provided the Committee with a draft amendment to the FY 2026 budget bill consistent with recommendations they offered during the public hearing. The OAG's amendment requires notwithstanding any other law, the Guam Police Department and the Office of the Attorney General shall enter into a Memorandum of Agreement ("MOA") wherein the Attorney General shall dedicate one Assistant Attorney General full-time employee to matters of civil law, as may be required by the Department. The requirement to enter into this MOA is subject to the Guam Police Department funding the full-cost of the Assistant Attorney General full-time employee. The Assistant Attorney General full-time employee is subject to the management and control of the Attorney General and shall not undertake any litigation or engage in matters of criminal law.

Subsequent to the July 24, 2025 public hearing on Bill No. 158-38 (COR), the Committee on Public Safety, Emergency Management, and Guam National Guard held a markup on the Bill on Friday, August 8, 2025, 2:17 p.m. at Chairman Shawn Gumataotao's office in *Hagatna*.

In attendance were Chairman Gumataotao, Vice-Speaker and Committee Vice-Chairman V. Anthony Ada - primary sponsor of Bill No. 158-38 (COR), and Speaker and Committee Member Frank F. Blas, Jr. A staff representative from Vice-Speaker Ada's Office was also present.

The Committee Markup agenda included a summary and status of bills referred to the Committee on Public Safety, Emergency Management, and Guam National Guard as of August 7, 2025, a summary of the public hearing discussion on Bill No. 158-38 (COR), and a discussion on the Committee's draft amendments to the Bill which were based on the OAG's draft amendment to the FY 2026 budget bill.

The Committee discussed and adopted an amended version of Bill No. 158-38 (COR) drafted by Vice-Speaker Ada, which authorizes GPD to hire an attorney selected by the Office of the Attorney General. Vice-Speaker Ada argued the bill's necessity particularly in the event an MOU between the OAG and GPD is not developed or executed. Vice-Speaker Ada represented that his amended version of Bill No. 158-38 (COR) instructs the OAG to select an attorney, but requires GPD fund the position salary and benefits, provide administrative support, and assign daily work deliverables.

The Committee further finds that § 1421g(d)(1) of the Organic Act of Guam recognizes the Attorney General of Guam as the Chief Legal Officer of the Government of Guam. Accordingly, the Committee finds it necessary to amend Bill No. 158-38 (COR) to ensure the appointment of legal services for GPD and other Executive Branch departments and agencies is done with the approval and support of the Office of the Attorney General. Bill No. 158-38 (COR), as amended, is proposed to guard against unwanted, costly, and arguably avoidable consequences impacting the timely and effective delivery of critical legal services. The Bill, as amended, establishes policy that supports the civil law requirements of the Guam Police Department including, but not limited to, analyses of proposed legislation impacting GPD, General Orders, and matters pertinent to the department's personnel rules and regulations.

Based on the foregoing discussion, the Committee hereby reports out Bill No. 158-38 (COR), as amended by the Committee on Public Safety, Emergency Management, and Guam National Guard with the recommendation **TO DO PASS**.

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 158-38 (COR)

Introduced by:

V. Anthony Ada
Christopher M. Dueñas
Jesse A. Lujan
Chris Barnett
Joe S. San Agustin
Tina Rose Muña-Barnes
Shelly V. Calvo

AN ACT TO *ADD* A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 77108 is *added* to Chapter 77, Title 10, Guam Code

Annotated to read as follows:

“§ 77108. Authority to Hire Attorney. (a) The Department may employ an attorney to assist and represent it in all civil matters. The Attorney General shall represent the Department in litigation in which the Department is interested, provided that the Attorney General may designate the Department’s attorney as a Special Assistant Attorney General for this purpose.

(b) The Department may set the terms and conditions of employment of the attorney, the compensation of which shall be established in accordance with 4 GCA § 6208 as a full-time employee or as an independent consultant or may utilize the services of a law firm. The attorney shall be admitted to practice law in Guam.”

Section 2. Section 4 of Public Law 30-202 is *repealed* in its entirety.

1 **~~"Section 4 Attorney General to Provide Legal Services.~~**

2 ~~Notwithstanding any other law, rule or regulation the Attorney General shall~~
3 ~~designate at least one (1) of its attorneys to assist and represent the Guam Police~~
4 ~~Department in all civil matters. The Attorney General, or his or her designee, shall~~
5 ~~represent the Guam Police Department (GPD) in administrative hearings or civil~~
6 ~~litigation in which the Department is interested, and also provide legal advice and~~
7 ~~guidance to GPD, as well as provide consultation to GPD on training and other~~
8 ~~police related matters."~~

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 158-38 (COR)

As Amended by the Committee on Public Safety,
Emergency Management, and Guam National Guard

Introduced by:

V. Anthony Ada
Christopher M. Dueñas
Jesse A. Lujan
Chris Barnett
Joe S. San Agustin
Tina Rose Muña Barnes
Shelly V. Calvo

**AN ACT TO ADD A NEW § 77108 TO CHAPTER 77 OF
TITLE 10, GUAM CODE ANNOTATED, AND TO REPEAL
SECTION 4 OF PUBLIC LAW 30-202, RELATIVE TO
AUTHORIZING THE GUAM POLICE DEPARTMENT TO
HIRE ITS OWN ATTORNEY.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 77108 is *added* to Chapter 77 of Title 10, Guam Code
Annotated, to read as follows:

“§ 77108. Authority to Hire Attorney. The Department may employ an
attorney. Such attorney shall be appointed by the Attorney General as an Assistant
Attorney General. The Attorney General shall define the scope of practice for the
attorney. The attorney shall be an employee of the Guam Police Department and
funded by the Department’s budget. The attorney shall serve under the general
supervision of the Attorney General and may be removed for cause; however, the
Chief of Police is responsible for assigning the day-to-day scope of work that the
attorney is expected to perform on behalf of the Department.”

Section 2. Section 4 of Public Law 30-202 is *repealed* in its entirety.

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1 ~~Notwithstanding any other law, rule or regulation the Attorney General shall~~
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5 ~~litigation in which the Department is interested, and also provide legal advice and~~
6 ~~guidance to GPD, as well as provide consultation to GPD on training and other~~
7 ~~police related matters.”~~

Committee Markup Version

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 158-38 (COR)

As Amended by the Committee on Public Safety,
Emergency Management, and Guam National Guard

Introduced by:

V. Anthony Ada
Christopher M. Dueñas
Jesse A. Lujan
Chris Barnett
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AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, OF
TITLE 10, GUAM CODE ANNOTATED, AND TO REPEAL
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provided that the Attorney General may designate the Department’s attorney as a
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General shall define the scope of practice for the attorney. The attorney shall be an
employee of the Guam Police Department and funded by the Department’s budget.
The attorney shall serve under the general supervision of the Attorney General and
may be removed for cause; however, the Chief of Police is responsible for assigning

1 the day-to-day scope of work that the attorney is expected to perform on behalf of
2 the Department.

3 ~~(b) The Department may set the terms and conditions of employment of the~~
4 ~~attorney, the compensation of which shall be established in accordance with 4 GCA~~
5 ~~§ 6208 as a full-time employee or as an independent consultant or may utilize the~~
6 ~~services of a law firm. The attorney shall be admitted to practice law in Guam.”~~

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9 Notwithstanding any other law, rule or regulation the Attorney General shall
10 ~~designate at least one (1) of its attorneys to assist and represent the Guam Police~~
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13 ~~litigation in which the Department is interested, and also provide legal advice and~~
14 ~~guidance to GPD, as well as provide consultation to GPD on training and other~~
15 ~~police-related matters.”~~

Bureau of Budget & Management Research
Fiscal Note of Bill No. 158-38 (COR)

AN ACT TO ADD A NEW § 77108 TO CHAPTER 77, TITLE 10 AND TO REPEAL SECTION 4 OF PUBLIC LAW 30-202 RELATIVE TO AUTHORIZING THE GUAM POLICE DEPARTMENT TO HIRE ITS OWN ATTORNEY.

Department/Agency Appropriation Information

Dept./Agency Affected: Guam Police Department	Dept./Agency Head: Stephen C. Ignacio, Chief of Police
Department's General Fund (GF) appropriation(s) to date: P.L. 37-125 (FY 2025 Budget Act) & P.L. 37-135 (FY 2025 Supplemental Appropriations)	\$56,296,229
Department's Other Fund (Specify) appropriation(s) to date: Tourist Attraction Fund, Police Services Fund, and Police Patrol Vehicle and Equipment Revolving Fund	\$5,044,139
Total Department/Agency Appropriation(s) to date:	\$61,340,368

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2024 Unreserved Fund Balance		\$0	\$0
FY 2025 Adopted Revenues	\$0	\$0	\$0
FY 2025 Approp. (P.L. 37-125)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund 1/	\$0	\$0	\$0	\$0	\$0	\$0
Total 1/	\$0	\$0	\$0	\$0	\$0	\$0

- | | | |
|--|------------|---------|
| 1. Does the bill contain "revenue generating" provisions? | / / Yes | /X/ No |
| If Yes, see attachment | | |
| 2. Is amount appropriated adequate to fund the intent of the appropriation? | /X/ N/A | / / Yes |
| If no, what is the additional amount required? \$ _____ | /X/ N/A | / / No |
| 3. Does the Bill establish a new program/agency? | / / Yes | /X/ No |
| If yes, will the program duplicate existing programs/agencies? | /X/ N/A | / / Yes |
| Is there a federal mandate to establish the program/agency? | / / Yes | /X/ No |
| 4. Will the enactment of this Bill require new physical facilities? | / / Yes | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept./agency? If no, indicate reason: | /X/ Yes | / / No |
| / / Requested agency comments not received by due date | / / Other: | |

Analyst: <u>Joaquin A.J. Guerrero II</u>	Date: <u>7/11/25</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>JUL 14 2025</u>
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Comments:

1/ The proposed legislation intends to authorize the Guam Police Department (GPD) to employ its own attorney to assist and represent it in all civil matters and remove the Office of the Attorney General from providing legal services. The Bureau notes that there is no funding source identified for this fiscal impact. Per comments provided by the GPD, the estimated cost impact for hiring its own attorney is \$186,264, which is not covered under the department's annual budget. This will consist of personnel costs (\$124,244) and operational costs (e.g. office equipment, office space rent, official vehicle, etc.) (\$62,020).



Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Fwd: AG's Office Proposed Miscellaneous Provision Re: MOA w. GPD on AAG Assignment

3 messages

Senator Telo Taitague <senatortelot@gmail.com>

Sat, Jul 26, 2025 at 6:13 PM

To: Vice Speaker Tony Ada <vicespeakertonyada@guamlegislature.gov>, Office of Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Håfa Adai Vice Speaker Ada,

I hope this message finds you in good health and high spirits.

Thank you for taking the time to speak with me and the Attorney General following the recent public hearing on Bill No. 158, regarding the Guam Police Department retaining its own legal counsel. In preparation for the upcoming markup meeting, I am forwarding correspondence I received from the Office of the Attorney General for your review and consideration.

The attached email outlines a potential Memorandum of Understanding (MOU) between the Attorney General's Office and GPD, which may serve as an alternative to the proposed legislation. For transparency and collaboration, I have also shared this document with the committee chair included in this message.

As we work toward strengthening support for the GPD while safeguarding the integrity of the Office of the Attorney General, I trust that this discussion will help us explore the most constructive path forward.

Kindly confirm receipt of this email at your earliest convenience.

Kindest Regards.

Senator Telo Taitague

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement

Suite 407 DNA Building
238 Archbishop Flores St.

Hagatna, Guam 96910
Tel: (671) 989-8356
Email: senatortelot@gmail.com

----- Forwarded message -----

From: **Austin Fortuno** <afortuno@oagguam.org>
Date: Fri, 25 Jul 2025 at 17:33
Subject: AG's Office Proposed Miscellaneous Provision Re: MOA w. GPD on AAG Assignment
To: Senator Telo Taitague <senatortelot@gmail.com>, <senatortelot.charissa@gmail.com>
Cc: Norman Lee Miller, Jr. <nmillerjr@oagguam.org>

Hafa Adai Office of Senator Taitague:

Please find kindly attached the Attorney General's proposed miscellaneous provision regarding the memorandum of agreement between the AG's Office and the Guam Police Department on the assignment of one Assistant Attorney General ("AAG") to the GPD.

Thank you!

--
Very Respectfully,



AUSTIN G. FORTUNO

Special Projects Coordinator
Administration Division

Office of the Attorney General of Guam

134 W. Soledad Avenue, Suite 412
Hagåtña, GU 96910
Tel: (671) 475-3324 ext. 2150
afortuno@oagguam.org
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"Guam's Toughest Law Enforcers"

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 **AGMiscellaneousProvisionReGPDownAtty.doc**
30K

Senator Telo Taitague <senatortelot@gmail.com>

Sat, Jul 26, 2025 at 6:24 PM

To: Vice Speaker Tony Ada <vicespeakertonyada@guamlegislature.gov>, Office of Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Vice Speaker Ada,

I apologize for the oversight, as I inadvertently omitted another attachment. Please find the MOU contract prepared by the AGO for your review as well. Should you have any questions or require further information I'm happy to assist.

Thank you for your understanding, and I appreciate your time and attention to this matter.

Kindest Regards,
Telo

Si Yu'os Ma'åse,

Create a Great Day!

Senator Telo T. Taitague

38th Guam Legislature

Chairperson

**Committee on Economic Investment, Military Buildup, Regional Relations, Technology,
Regulatory Affairs, Justice, Elections, and Retirement**

Suite 407 DNA Building

238 Archbishop Flores St.

Hagatna, Guam 96910

Tel: (671) 989-8356

Email: senatortelot@gmail.com

[Quoted text hidden]



MOU.GPDAtty.pdf

38K

Vice Speaker V. Anthony Ada <vicespeakertonyada@guamlegislature.gov>

Sun, Jul 27, 2025 at 8:45
PM

To: Senator Telo Taitague <senatortelot@gmail.com>

Cc: Office of Senator Shawn Gumataotao <office.senatorshawn@guamlegislature.gov>

Håfa Adai Senator Taitague,

Our office acknowledges receipt of your email and the attached documents and will be forwarding it to Vice Speaker Ada for his review.

Si Yu'os Ma'åse',

[Quoted text hidden]

--



Office of Vice Speaker V. Anthony Ada

38th Guam Legislature

I Mina'trentai Ocho Na Liheslaturan Guåhan

Guam Congress Building, 2nd Floor

163 Chalan Santo Papa

Hagåtña, Guam 96910

Phone: (671) 989-0855

Email: vicespeakertonyada@guamlegislature.gov

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Proposed Miscellaneous Provision to FY2026 Budget Bill
Re: MOA between AG's Office & GPD regarding Assigned AAG

Section ____. Notwithstanding any other law, the Guam Police Department and the Office of the Attorney General shall enter into a Memorandum of Agreement ("MOA") wherein the Attorney General shall dedicate one Assistant Attorney General full-time employee to matters of civil law, as may be required by the Department. The requirement to enter into this MOA is subject to the Guam Police Department funding the full-cost of the Assistant Attorney General full-time employee. The Assistant Attorney General full-time employee is subject to the management and control of the Attorney General and shall not undertake any litigation or engage in matters of criminal law.

MEMORANDUM OF AGREEMENT

between the

GUAM POLICE DEPARTMENT

and the

Office OF THE ATTORNEY GENERAL

This MEMORANDUM OF AGREEMENT ("MOA") is made between the **GUAM POLICE DEPARTMENT ("GPD")** and the **ATTORNEY GENERAL OF GUAM ("AG's Office")**.

RECITALS

WHEREAS, the Attorney General of Guam, pursuant to 48 USC § 1421g(d)(l) of the Organic Act of Guam, is the Chief Legal Officer of the government of Guam and, pursuant to law, has cognizance of all legal matters involving the Executive Branch of the government of Guam, its agencies, instrumentalities, public corporations, autonomous agencies and the Mayors Council; and

WHEREAS, the Chief of the GPD requested assistance from the AG's Office to provide legal services to GPD in furtherance of the goals and objectives of GPD not inconsistent with the legal and ethical duties and responsibilities of the AG's Office; and

WHEREAS, the Attorney General agrees to substantially dedicate a fulltime equivalent Assistant Attorney General of the Solicitors Division, AG's Office to address the legal needs of GPD;

NOW THEREFORE, in consideration of the covenants hereinafter set out, the parties agree as follows:

1. **Assignment of AAG FTE and Scope of Duties.** The AG's Office shall dedicate one Assistant Attorney General ("AAG") to perform legal services for the Chief of GPD, or his or her designee, as needed by them. The AAG assigned by the Attorney General to GPD shall be an attorney employed by the AG's Office, selected by the Attorney General, and shall be under the direct supervision of the Attorney General, or his designee (i.e. Deputy for the AG's Office's Solicitors Division). The AAG shall not issue any legal memoranda, as provided in 5 GCA § 30107, and shall not issue any Attorney General opinions, as provided in 5 GCA § 30107,

without the prior written consent of the Attorney General. The AAG shall not engage in any litigation, take a position on a matter filed pursuant to the Government Claims Act, or file any appeal in a litigation case without the prior written consent of the Attorney General or AG's Designee. The AAG shall not give any legal advice contrary to a legal position taken by the AG's Office; and the AAGs shall confer with the Attorney General or designee before stating a legal position or giving legal advice on an issue which is outside of regular legal information and guidance related to the day-to-day activities of GPD. Any questions by GPD about the legal services provided by the AAG shall be brought to the attention of the AG.

2. **Scope of Legal Services.** The AAG shall perform legal services required by GPD as may be requested and as consistent with this MOA. Legal services shall include, but not be limited to, the following:

- (a) Provide legal advice and guidance to the Chief of the GPD and his designees relative to GPD matters;
- (b) Perform legal services as requested by the Chief, or his or her designee regarding personnel or administrative matters;
- (c) Advise the Chief, or designated employees under the Chief's authority, on general legal matters;
- (d) Draft administrative rules and regulations, legislative bills, and resolutions relative to the GPD;
- (e) Consult with the Chief or his or her designee on all legal matters as they affect the daily operations of the GPD;
- (f) Review as to form and legality GPD's procurement-related documents, including Requests for Proposals, Invitations for Bids, Memoranda of Agreements/Understanding, Protests, and other related documents;
- (g) Review as to form and legality GPD's Risk Management related documents that may require legal review and guidance;
- (h) Act as GPD's hearing officer in the following specific circumstances:

- a. When GPD is required by law to utilize an attorney as a hearing officer; and
 - b. With the express approval of the Attorney General or his or her designee.
- (i) Research and prepare informational memoranda, official opinions and legal memoranda on matters of civil but not criminal law. No opinion or legal memorandum shall be finalized or released without the AG's prior review and approval. The AG shall have the prerogative of issuing the opinion under his name; and
- (j) Provide other legal services for the GPD as may be requested and as expressly approved by the AG, provided that such request does not conflict with the performance of the AG's legal and ethical duties.

The AAG shall always remain under the control of the AG, and assigned to GPD to provide legal services. Any request for legal advice or counsel related to an arrest, investigation or possible prosecution of any individual shall be directed to the AG or his designee.

3. **Consideration.** GPD agrees to submit, in advance, the full amount of compensation for providing full-time legal services for the GPD by a direct payment to the AG's Office from funds of GPD. GPD and the AG's Office agree that for Fiscal Year 2026 the compensation shall be \$_____. Advanced compensation paid to the AG's Office by the GPD shall be made by the effective date of this MOA, and at the beginning of each fiscal year thereafter. For subsequent fiscal years, funds shall be certified using the Certification of Funds form attached hereto as Attachment A (BBMR form CFF).

4. **Term.** This MOA shall continue from one fiscal year to the next, unless or until terminated by either party. A party may terminate this MOA by giving sixty (60) days' notice to the other party, or if both parties mutually agree to a termination, then this MOA may be terminated without notice on a date agreed upon by the parties.

5. **Expenses.** In addition to the consideration for legal services agreed to in paragraph 3 above, GPD shall pay the following expenses related to legal services provided to the GPD:

- a. If the GPD requires or requests the AAG to travel off-island relative to the performance of his or her services to the GPD under this MOA, then the GPD shall pay all costs of travel, food, lodging, and other related expenses with respect to the travel. The AG's Office shall not be required to advance any travel costs relative to services being rendered to the GPD. Reimbursement for such travel expenses shall be pursuant government of Guam-approved policy and rates;
- b. If the services to be rendered by the AAG to the GPD require any legal experts, consultants, specialists, or investigators, the GPD shall retain such persons directly, and the AG's Office is expressly not required to provide such services under this MOA; and
- c. Any other expenses reasonably necessary as determined by the AG.

6. In the event of any dispute as to the scope or quality of services the parties agree to meet and confer to develop a remedy.

7. **Non-waiver.** This MOA shall become effective on the date it is signed by the parties.

SIGNATURES FOLLOW ON NEXT PAGE

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IN WITNESS WHEREOF, the parties have entered in to this Agreement on the date indicated by their respective signatures:

Office of the Attorney General

Guam Police Department

By: _____

DOUGLAS B. MOYLAN
Attorney General of Guam

By: _____

STEPHEN IGNACIO
Chief

Date: _____

Date: _____

CERTIFIED FUNDS AVAILABLE:

APPROVED:

Certifying Officer
Department of Public Health and Social Services
DOCUMENT #: _____
NOT TO EXCEED: _____

DATE: _____

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APPROVED:

APPROVED AS TO LEGALITY AND FORM:

LESTER CARLSON, JR., Director
Bureau of Budget and Management Research

DATE: _____

JOSEPH C. GUTHRIE
Chief Assistant Attorney General of Guam

DATE: _____