

FIREARMS POLICY



JUDICIARY OF GUAM

Administrative Office of the Courts

Human Resources Office

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Robert J. Torres
Chief Justice

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Administrator of the Courts

April 18, 2008

MEMORANDUM

TO: All Division Heads/Administrators

FROM: Administrator of the Courts

SUBJECT: Revised and Updated Firearms Administrative Policy ~~UJ#08-01~~

This memorandum serves to officially disseminate the subject policy which replaces Firearms Administrative Policy #003-92 established in October, 1992. This updated version is much comprehensive as it specifically addresses policy issues and procedures in three (3) section areas relative to the issuance and use and maintenance of firearms. They are:

- Section 1: Minimum Qualification & Training Standards for the Issuance of Firearms
- Section 2: Firearms Policy Administration
- Section 3: Judicious Use of Force Policy

The Human Resources Administrator will prepare and attach the employee acknowledgment form for your respective division to ensure that every Deputy Marshal and Probation Officer receive a copy of this revised policy. Be guided accordingly.


PERRY C. TAITANO

cc: Chief Justice
Staff Attorney



ADMINISTRATIVE OFFICE OF THE COURTS

ADMINISTRATIVE POLICY #UJ08-01

SUBJECT MATTER AND IN REFERENCE TO:

- Section 1:** MINIMUM QUALIFICATION & TRAINING STANDARDS FOR THE
ISSUANCE OF JUDICIARY OF GUAM FIREARMS
- Section 2:** FIREARMS POLICY ADMINISTRATION
- Section 3:** JUDICIOUS USE OF FORCE POLICY

Background/Purpose/Authority: This administrative policy supercedes court administrative policy #003-92, "Firearms in Conjunction with the Performance of Duties", which took effect on October 16, 1992. This new policy provides for a more comprehensive and uniform administration of a vast number of management issues related to minimum eligibility and training, discharges, theft, maintenance, storage, conduct procedures and processes required relative to the issuance of Judiciary of Guam firearms. Marshals and Probation Officers are defined in 8GCA §5.55 (I), (k) as peace officers, and are therefore authorized to carry firearms in the performance of duties.

- POLICY FORMS:**
- 1) Form #UJ08-01.1 Completion of Minimum Qualification
 - 2) Form #UJ08-01.2 Semi-Annual Qualification Form
 - 3) Form #UJ08-01.3 Authorization for Use of Private Weapon
 - 4) Form #UJ08-01.4 Retrieval/Confiscation & Chain of Custody

SECTION 1. MINIMUM QUALIFICATION & TRAINING STANDARDS FOR THE ISSUANCE OF JUDICIARY OF GUAM FIREARMS

- 1.1 POLICY STATEMENT:** The Judicial Council of Guam recognizes the legal authority of Marshals and Probation Officers to carry firearms during the course of their employment with the Judiciary of Guam. Judicial management establishes this policy to prescribe the minimum training and qualification requirements prior to the issuance of firearms to Marshals or Probation Officers. As this policy is established, the Judiciary recognizes that trained, certified and experienced Marshals and Probation Officers are able to conduct in-house training for employees to meet this qualifying standard. No employee shall be issued a court firearm without the completion of the minimum requirements stated below and a valid firearms permit. The Marshal of the

Courts, the Chief Probation Officer, coherently with the Administrator of the Courts, shall ensure that the resources, training equipment, supplies, and training time are afforded to Marshals and Probation Officers to receive the training as required by this administrative policy.

1.2 MINIMUM REQUIREMENTS FOR NEWLY HIRED MARSHALS AND PROBATION OFFICERS

- A. Valid Firearms Identification Card issued by the Guam Police Department; **and**
- B. Completion of Judiciary's 40 Hour Basic Firearms Training : This 40 Hour Firearms Familiarization and Qualification Course consists of classroom and practical applications on the fundamentals of firearms care, safety, storage; fundamentals of shooting (principles of shooting, how to shoot, where to shoot, aligning sights, good sight picture, breathing, trigger squeeze, and immediate action drills (what to do in the event of firearm failure to feed, fire, extract or eject), "officer down" techniques, and movement drills. This course also includes practical firearms range shooting for the day and night qualification course for certification. This training shall be completed within the probationary period of the employee. Failure to complete this course may result in the dismissal of the employee.

1.3 MINIMUM REQUIREMENTS FOR CURRENT MARSHALS AND PROBATION OFFICERS

Completion of Semi-Annual Basic Firearms Training or Firearms Re-qualification Training (Night & Day) **and** any Basic Officer Survival Training given by the Marshal Division's Training & Staff Development Unit, Guam Police Department or recognized law enforcement academy or its equivalent. Failure to complete this course and meet the minimum Firearms Qualification score may result in the retrieval of the employee's firearm and reassignment to administrative duties until the course is completed and the officer's minimum Firearms Qualification score is met.

Current Marshals and Probation Officers must have also completed the Judiciary's 40 Hours Basic Firearms Training and the Judicious Use of Deadly Force training.

1.4 SUPPLEMENTAL WEAPONRY TRAINING

The Judiciary's certified on-staff instructors from the Marshals Division shall provide, document and certify additional training as required in Section 3 of this policy. Such training include but is not limited to:

- A. **Judicious Use of Deadly Force:** The Judicious Use of Deadly Force is an in-house training program coordinated by the Training & Staff Development Unit of the Marshals Division. Training will include lectures, exercises, video learning materials and activities. In addition to the judicious and non-judicious use of force, the physio-psychological aspects of violent encounters, post shooting trauma, mock shooting and courtroom testimony, witness dynamics and disparity of force issues will be taught.
- B. **Basic Officer Survival Skill:** This is another in-house training program coordinated by the Marshals Division that includes lectures and practical applications of firearms qualification, proactive versus reactive responses, close quarter battle (CBQ), physical fitness, less lethal weapons training on monadnock expandable baton (MEB) and oleoresin capsicum aerosol training(OCAT), weapons retention, self defense, practical and tactical handcuffing (PATH).

1.5 FIREARMS TRAINING AND QUALIFICATION

- 1.5.1 **Responsibility:** The division chiefs, the officers' supervisors and Human Resources Office have the responsibility in ensuring that the requirements for initial, periodic, and refresher firearms training and qualification are met by all officers. It is also each officer's responsibility to attend and complete the required qualification and certification training in conjunction with their possession of Judicial firearms.
- 1.5.2 **Records:** All records of firearms instruction and qualification forms such as the Judiciary of Guam Certification of Firearms Qualification and Issuance Form (Attachment 1) must be completed and signed by all parties involved. The division chiefs will maintain copies of all forms and original documents shall be forwarded to the Human Resources Office within five working days after instruction or qualification sessions.
- 1.5.3 **Range Master:** The Range Master is an individual who has acquired specialized training and is knowledgeable in areas relating to officer survival, weaponry and firearms, and range operations. The Range Master is also an advanced level instructor who can supervise, teach and administer a firearms program and tactical skills development in specialized areas needing more emphasis in modern police training.

The Range Master is responsible for:

- a. Range operations
- b. Firearms Instructors
- c. Range Safety Officers
- d. Agency qualifications
- e. Firing range development and designs
- f. Environmental, health, and safety considerations
- g. Shooter performance analysis and improvement
- h. Coaching duties, positions and guidelines
- I. Range exercises and individual skill development with coach (dry and live fire)
- j. Ammunition considerations
- k. Advanced shooting techniques
- l. Training program management
- m. Evaluating agency training criteria
- n. Relevant "Course of Fire" design using critical incident review
- o. Officer survival tactics in diminished light
- p. Handgun-flashlight techniques
- q. Random firearms inspections for cleanliness and serviceability

1.5.4 Firearms Instructor: The Firearms Instructor is an individual who has completed a Firearms Instructor's course or its equivalent and has been certified to instruct on firearms through an accredited certifying agency or institution to minimize the liabilities involved in the use of firearms. This designation and appointment by the Marshal of the Courts is usually delegated to qualified Marshals as a collateral duty assignment.

The Firearms Instructor is responsible for:

- a. Coordinating with the Judiciary in meeting all the certification requirements necessary as a Firearms Instructor in order to continue certifying officers;
- b. Conducting the initial and periodic firearms training of all officers in the use, storage and maintenance of all court-issued firearms;
- c. Ensuring all officers have read and understood provisions of this policy;
- d. Assisting the Range Master with supervising the qualification and re-qualification of firearms courses with the assistance of the Range Safety Officers;

- e. Certifying the training and qualification of the officer; and
- f. Issuing marksmanship certificates after every qualification.

1.5.5 Range Safety Officer : The division chiefs may designate an officer(s) to be the Range Safety Officer(s). A Range Safety Officer is an individual who has been trained and certified by the Guam Police Department or an accredited agency to assist in certifying requirements. This designation is a collateral duty assignment.

The Range Safety Officer is responsible for:

- a. Assisting the Range Master in conducting the qualification course training;
- b. Maintaining order on the firing range; and
- c. Assisting in the preparation, operation and securing of shooting range during qualifications.

1.5.6 Judicial Armorer: The Armorer is an individual who has undergone Armorer training and has been certified by a recognized institution.

The Armorer is responsible for:

- a. Judicial Armory
- b. Maintaining up-to-date records of the Judiciary's inventoried purchases, transfers, issuance and stock of firearms and ammunition under the court's custodial responsibility.
- c. Safety rules
- d. Environmental, health and safety considerations
- e. Disassembly and assembly of court issued firearms
- f. Inspections of duty weapons and magazines for serviceability
- g. Troubleshooting and repairs

Note: The Marshal of the Courts may authorize the Range Master or the Judicial Armorer to test fire specific firearms annually or prior to the issuance of such to ensure that the firearm/s is/are serviceable and deemed safe for duty.

1.5.7 Refresher Qualification & Familiarization Courses

Officers shall undergo a 4-hour Refresher Course on Firearms consistent with the training program before qualifying in both Day and Night qualification and familiarization courses or any other weapon qualification courses.

1.5.8 Firearms Qualification Courses

The "Course of Fire" for each class of authorized weapons shall be determined by the Range Master and Firearms Instructor with recommendations from the Range Safety Officers and the Marshals' Training & Staff Development Unit as approved by the Administrator of the Courts.

- a. Handgun Day & Night Qualification & Familiarization Courses (Semi-Annual Qualification Course)
- b. Long-arms Weapons Qualification Course
- c. Judgmental Shooting Course

1.6 CERTIFICATION

The Human Resources Division, together with the Marshals' Training & Staff Development Unit, shall be responsible for ensuring that documented certification is placed in the employee's official personnel file. Such document will indicate that the employee has met the minimum qualification requirements stipulated in this policy.

SECTION 2. FIREARMS POLICY ADMINISTRATION

- 2.1 POLICY STATEMENT:** It is the intent of the Judiciary that this policy serves as procedural guidelines in the possession of firearms issued by the Judiciary. This policy includes the qualification requirements, the restrictions and conditions for the Judiciary of Guam's Marshals and Probation Officers in maintaining and storing court issued firearms. Firearms are defensive weapons to be used only as a last resort in preventing the loss of lives or serious bodily injury to Judiciary Marshals, Probation Officers or other persons. Whenever an officer applies the use of force with a firearm, the provisions of the Judicious Use of Force Policy shall apply in conjunction with this Firearms Policy. The terms Marshal or Probation Officer include the Chief, Deputy Chief and Supervisors. The word "officer" in this policy shall refer to a Deputy Marshal, (including Deputy Marshal Reserves) and Probation Officer. This also refers to other court employees who are special deputized.

2.2 AUTHORIZED FIREARMS AND AMMUNITION

2.2.1 Accountability

All firearms owned by the Judiciary of Guam shall be accounted for by the Judicial Armorer, respective division chief and Procurement Administrator or their designee. The Procurement Administrator or designee shall annually transmit an updated list of all Judiciary of Guam firearms to the Guam Police Department Records Division. Each officer will be accountable in securing their court issued firearm and maintaining it for safety and cleanliness.

2.2.2 Handguns

The standard court-issued handgun is the 40 caliber Semi-Automatic Pistol, including a minimum of two magazine clips and a holster. The Chief Probation Officer and the Marshal of the Courts have the discretion to issue additional magazine clips if needed. Other additional firearms owned by the Judiciary of Guam may be issued to officers upon the concurrence of the Administrator of the Courts. All such weapons issued shall be recorded with the Judicial Armorer, respective division chiefs and Procurement Administrator or their designees.

2.2.3 Long-arms Weapons

Long-arms shoulder fired weapons refer to any rifle, carbine or shotgun owned and issued by the Judiciary to officers. All such weapons shall be recorded with the Judicial Armorer, respective division chiefs and Procurement Administrator or their designees.

2.2.4 Weapons of Other Law Enforcement Agencies

There may be occasions when the Judiciary faces a need to borrow weapons from other law enforcement agencies due to the shortage of available court-issued weapons, or the lack of special weapons. A Memorandum of Understanding between the issuing agency's chief and the division chiefs, as approved by the Administrator of the Courts shall be established prior to the transfer and use of such weapons.

- a. The Marshal of the Courts, Chief Probation Officer or designee shall be responsible in receiving, recording and issuing weapons of other agencies for Judiciary use.

- b. An officer may be issued another agency's weapon for official duty provided the officer is qualified to possess and use such weapon.
- c. The officer using another agency's weapon shall maintain the weapon in accordance with this policy as if it were a Judiciary issued firearm.

2.2.5 Privately Owned Weapons

- a. Officers desiring to carry privately owned firearms for official duty must meet the standards set in this policy and must receive prior approval. Policy Form # UJ08- must be completed which will go through the normal chain of command up to the final approval of the Administrator of the Courts.
- b. The division chief shall provide a copy of the approved authorization to use privately owned weapons to the Procurement Administrator and Human Resources Administrator.
- c. The court shall bear no responsibility for damage or loss of privately owned weapons utilized for official duty.
- d. Ammunition used for approved privately owned weapons will be provided by the Judiciary.

2.2.6 Ammunition

All ammunition used for official duty must be in good condition. Standard ammunition issued must be factory (40 caliber, 9mm, and .223) manufactured hollow points, and 12ga. Double 00 Buckshot.

- a. Ammunition must be replaced every six (6) months from the date of issue or sooner in the event ammunition is used, becomes saturated with oil solvents or any other liquid substance, or has become unusable.
- b. Each officer's issued ammunition would be used for the semi-annual qualification/re-qualification training. Upon successfully qualifying, an officer will be issued new rounds of ammunition for official duty.
- c. An officer must carry a minimum of forty-five (45) rounds of standard ammunition on duty for issued handgun.

- d. Officers assigned Long-arms weapons will carry, appropriate to the weapon, a minimum of (10) rounds of 12ga. Double 00 buckshot or (20) rounds of .223 caliber.
- e. Less-than-lethal projectiles (12 gauge bean bags, 12 gauge rubber bullets or pellets).

2.3 MAINTENANCE, INSPECTION, STORAGE, LOSS AND THEFT OF FIREARMS

2.3.1 Maintenance

- a. Officers are responsible for the maintenance of their court-issued firearms at all times. All firearms used for official duty must be kept clean, free of rust, and in good operating condition at all times.
- b. Repairs and modifications must be pre-approved and recorded by the division chiefs and Procurement Administrator or their designees. Any repairs or modifications to court-issued firearms must be made only by the Judicial Armorer or a qualified gunsmith if necessary. Court-issued weapons may be modified to better suit an individual officer's needs (improved grips, sights, etc.). The trigger-pull on court-issued weapons shall not be adjusted to be less than 3 ½ pounds.
- c. Any damages to court-issued weapons must be immediately reported verbally and in writing through an incident report to the officer's immediate supervisor and/or division chief and a copy to the Judicial Armorer and Procurement Administrator or designee. The division chief or designee will conduct an investigation to determine negligence. If an officer is determined to be negligent for the damages, the officer will be responsible for the repair costs.
- d. If the damages resulting from negligence are beyond repair, the officer will be responsible for reimbursement of the firearm at its blue book value when the damages were incurred.

2.3.2 Inspection

The Marshal of the Courts or Chief Probation Officer or their designee(s) and the Judicial Armorer shall annually inspect all weapons for serviceability

and safety. The officer's immediate supervisor, the Range Master, the Firearms Instructor or Judicial Armorer may also conduct random inspections to ensure compliance with this policy. The inspecting officer must ensure that the firearm is deemed safe and cleared of ammunition before proceeding with the inspection.

- a. Random inspection may include:
 1. condition of the firearm, function check and trigger weight test,
 2. field strip
 3. cycle of fire
 4. permit validations, and
 5. proper storage of the firearm during working hours.
- b. The inspecting officer shall submit a written report to the division chief citing any unkept, inoperable or malfunctioned firearm for investigation within 3 working days from date of inspection. The weapon shall be confiscated for repair and the officer shall be issued another firearm upon meeting qualification standards with that firearm. The issuance of another firearm is subject to availability. The officer cited will also submit an incident report to the division chief detailing the circumstances and facts of the incident within 24 hours after inspection or the following work day. The division chief shall submit a copy of the inspection report(s) to the Administrator of the Courts and the Procurement Administrator or designee.
- c. Any damages beyond repair on any weapon must be reported to the Guam Police Department [10GCA §60113(b)] by the division chiefs.

2.3.3 Storage

Officers shall be responsible for the safekeeping of court issued firearms, and shall take reasonable precautions against theft or loss. At any time an officer leaves a weapon unattended, it shall be the officer's responsibility to ensure that the weapon is secured under lock and key, such as in:

- a. the locked compartment or trunk of their vehicles (provided the firearm is unloaded and the vehicle is properly secured and within sight of the officer); or
- b. locked with a trigger guard or other firearms safety devices in a private residence.

Officers must secure weapons at all times to ensure no unauthorized person will have access or gain control over the weapon.

2.3.4 Loss and Theft of Firearms

- a. An officer must immediately report the loss or theft of court-issued firearms to the Guam Police Department and the division chief. A written incident report about the loss or theft of a firearm must be submitted to the division chief within one (1) working day after the incident, and a copy to the Administrator of the Courts, Procurement Administrator or designee and Judicial Armorer.
- b. The division chief or qualified designee shall immediately conduct an investigation to determine negligence, if any. The division chief or designee shall submit a recommendation and the investigation report to the Administrator of the Courts for final disposition within five (5) working days from receipt of incident report.
- c. If the investigation proves that the loss or theft of a court-issued firearm is due to the negligence of the officer, the responsible officer shall be required to reimburse the cost of replacing the lost firearm at the blue book value. The Judiciary Loss, Damage or Theft of Court-Issued Property Policy shall apply in this section.
- d. The officer shall be issued another firearm upon meeting qualification standards with that firearm. The issuance of another firearm is subject to availability.

2.4 CONTINUING AUTHORIZATION TO CARRY A FIREARM

The Marshals and Probation Division Chiefs or their designee(s) shall be responsible in ensuring that each officer receives both the material and training necessary to gain full understanding of the conditions outlined to carry court-issued firearms.

- A. Officers must have acknowledged that they completed the required training and received the Firearms Policy and the Use of Force Policy.
- B. The officer's acknowledged receipt shall be filed with the division and a copy forwarded to Human Resources office for placement into the employee's official personnel file.

- C. Officers must have a valid Guam Firearms Identification Card at all times.
- D. The Chief Probation Officer and the Marshal of the Courts continues authorization for the employee to carry a firearm.
- E. Officers must successfully qualify every six months in the Judiciary Handgun Qualification Course and other related qualifying firearms courses in order to continue carrying the standard handgun, or any other Judiciary weapon.
- F. Officers will only be allowed two (2) attempts to meet the initial and semi-annual qualification requirements.
- G. Officers who do not meet the qualification / re-qualification requirements of this policy shall surrender their firearms to the division chief or designee for safekeeping in the Judicial Armory. The division chief or designee shall forward a copy of the list of officers who fail to meet the firearms qualification/re-qualification requirements to the Human Resources Administrator.
 - 1. Those not meeting the required qualification score will be referred to remedial firearms class.
 - 2. Upon completion of the remedial training class, two (2) additional attempts will be given to qualify.
 - 3. If the officer still fails to qualify, the firearm shall be surrendered by the officer and will remain in the Judicial Armorer until the officer successfully qualifies during the next (6) month re-qualification course.
- H. Disciplinary action will be imposed for failure to participate and qualify in the firearms re-qualification courses.
- I. **Off-Duty:** Officers are authorized to carry their official firearms while off-duty because of their status as peace officers. Officers are required to possess firearms on duty except for certain assignments not requiring the use of firearms. During such unarmed duties, weapons must be properly stored. (ref. Section 2.3.3)
- J. Officers should carry their issued or authorized firearm with a round chambered during their tour of duty, unless otherwise instructed.

2.5 INVALID OR EXPIRED FIREARMS IDENTIFICATION CARD

Any Marshal or Probation Officer in possession of an invalid or expired firearms identification card must:

- A. Surrender the court-issued firearm to the supervisor/division chief for safekeeping in the Judicial Armory until such time the permit is renewed.
- B. Submit proof of renewal to the supervisor or division chief before the firearm may be reissued.
- C. Submit a copy of the renewed Firearms Identification Card to the Human Resources Office for filing into the personnel jacket.

2.6 OFF-ISLAND LEAVE

Any officer who is scheduled for off-island leave shall:

- A. Surrender the court-issued firearm to the immediate supervisor or designee for safekeeping in the Judicial Armory on their last work day prior to departure. A "chain of custody" receipt shall be made to record the activity of the weapon. A copy of this receipt shall be maintained by the respective division and Judicial Armorer's records.
- B. Upon return to official duty, the court-issued firearm shall be reissued if firearms license and certification is current.
- C. The division chief or designee and Judicial Armorer shall be responsible for documenting the release of custody and return of court issued firearms.
- D. An officer may carry the court-issued firearm for off-island official business if the nature of the assignment requires it, and FAA regulations are met and the officer complies with the airline carrier's regulations.

2.7 OFFICIAL RETRIEVAL AND/OR CONFISCATION OF THE FIREARM

When an officer is arrested for any crime charged or served a Temporary Restraining Order (TRO) including but not limited to Family Violence or when an officer admits, is suspected of, or is reported to have been involved in a domestic violence incident:

- A. The division chief or designee shall immediately confiscate the court-issued weapon from the officer arrested or from the agency who initially confiscated it, for safekeeping in the Judiciary Armory until:
 - 1. the court authorizes the possession of a firearm in accordance with his/her pretrial release conditions, and/or
 - 2. the Administrator of the Courts authorizes re-issuance of the weapon.
- B. The officer will be temporarily reassigned to administrative duties until clearance is authorized. Such temporary reassignment must be documented and be cleared with the Human Resources Administrator.

2.8 CONVICTION

An officer who has been convicted of felony, which may include Family Violence, shall be served with a Notice of Adverse Action within the statutory sixty (60) day rule for termination.

2.9 DRUGS OR ALCOHOL

An officer shall not use or carry any firearm while under the influence of prescribed, over the counter, illegal drugs or alcohol which may affect the officer's mental or physical faculties.

- A. It is the officer's responsibility to inform the supervisor or division chief when under the influence of drugs or alcohol.
- B. Upon admission of the officer or observation of the supervisor that an officer is displaying signs of impairment as a result of medication, the supervisor or division chief shall:
 - 1. temporarily confiscate the issued firearm for safekeeping in the Judicial Armory, and
 - 2. not allow the employee to assume duties which require the bearing of firearms.
 - 3. The supervisor or division head shall document the incident and record any observation related to the incident.

- C. In the event an officer receives a confirmed positive test result for the illegal use of drugs:
 - 1. The court-issued firearm shall be confiscated by the division chief or the officer's supervisor for safekeeping in the Judicial Armory.
 - 2. The bearing of firearms for official duty may be reinstated upon successful completion of the applicable provisions of the Judiciary's Drug Free Workplace Policy.

2.10 DEPRESSION AND/OR PROBLEMS

Officers shall inform the immediate supervisor or division head if they are experiencing mental depression or personal problems which may prevent them from performing their duties. Under such situation, the Administrator of the Courts and the division chief shall:

- A. Temporarily confiscate the court-issued weapon for safekeeping in the Judicial Armory until the officer submits documentation from a counselor concerning the mental depression or until the officer resolves the personal problem.
- B. If a division chief receives information or observations indicating that an officer is exhibiting mental instability, the division chief shall confer with the Administrator of the Courts and upon approval, refer the employee for a psychological evaluation or place employee on sick leave status while waiting for an evaluation to be done.
 - 1. In the event the evaluation report confirms mental instability, the division chief shall temporarily confiscate the court-issued weapon for safekeeping in the Judicial Armory.
 - 2. A court-issued weapon shall be reissued when a psychological evaluation determines mental stability.
- C. Whenever there is a requirement from the Administrator of the Courts or a division chief for an officer to seek counseling, the Judiciary shall be responsible for the referral and expenses of the counseling services provided to the officer. The time off taken by the officer will be considered administrative leave.

2.11 ADVERSE ACTION PROCEEDINGS

In the event an officer is given notice of proposed adverse action, specifically demotion, suspension or termination, the court-issued weapon will be confiscated or removed from the officer by the division head or designee supervisor for safekeeping in the Judicial Armory.

- A. In the case of an adverse action resulting in termination, or a demotion to a non-peace officer position, the issued firearm shall be permanently removed from the employee.
- B. In the case of an adverse action resulting in suspension, the issued firearm will be removed from the officer for safekeeping in the Judicial Armory during the suspension period.

2.12 REASSIGNMENT TO ADMINISTRATIVE DUTIES

In cases of disciplinary actions resulting in reassignment to administrative duties, the division head or officer's immediate supervisor shall temporarily confiscate the issued firearm for safekeeping in the Judicial Armory until remedies for such infractions are in accordance with the rules.

2.13 PREGNANCY

- A. In cases of pregnancies, the officer may temporarily surrender their court-issued firearm to the division head or officer's immediate supervisor for safekeeping in the Judicial Armory for the duration of the pregnancy.
- B. Firearms re-qualification during term of pregnancy is optional, however, not meeting the re-qualification conditions shall result in the retrieval of the issued firearm by the division chief or officer's immediate supervisor. Should the officer wish to participate in the re-qualification training during pregnancy, a medical clearance must be submitted prior to re-qualification.
- C. If the issued weapon is removed or surrendered, the officer shall be assigned to duties not requiring the bearing of firearms.
- D. Upon return to full duty status, the firearm may be re-issued provided the re-qualification requirements are met.

2.14 DISABILITIES - TEMPORARY OR PERMANENT

Any officer who has a temporary or permanent disability affecting his/her ability to possess or use the court-issued firearm shall surrender it to the respective division chief or supervisor. Such disability must be supported by a medical certificate.

2.15 EMPLOYMENT SEPARATION AND CLEARANCE

All officers separating employment from the Judiciary shall surrender the court-issued weapon(s), holsters and ammunition to the division chief. Non-compliance with this requirement will result in reimbursement from the employee, to be withheld from the employee's last paycheck.

The division chief shall ensure that court-issued weapons and related issued items are surrendered prior to signing the Separation and Clearance Form.

SECTION 3. JUDICIOUS USE OF FORCE POLICY

3.1 PURPOSE: This Use of Force Policy shall serve as guidelines in conjunction with the Judiciary of Guam Firearms Policy when a Deputy Marshal or Probation Officer applies necessary force in the performance of duties.

The word "**officer**" in this policy shall refer to a Deputy Marshal, Probation Officer, Deputy Marshal Reserves or other court employees who are special deputized. The term "division chief" refers to the Marshal of the Courts or Chief Probation Officer.

3.2 POLICY STATEMENT: It shall be the policy of the Judiciary of Guam that officers recognize the value and dignity of every person. When an officer is confronted with a situation to effectuate an arrest or protect the public safety, they should attempt to achieve control through advise, warnings and persuasion. Officers shall use only an amount of force that is reasonably necessary to effectively bring an incident under control while protecting their lives and the lives of others. The use of deadly force shall be authorized only when it is reasonable and necessary to protect the officer or others from imminent, immediate and unavoidable danger of death or serious bodily injury to the officer or others. Deadly force shall not be used if the application of less than lethal force reasonably appears to be sufficient to accomplish an arrest or otherwise accomplish the law enforcement purpose.

3.2.1 This policy shall serve as procedural guidelines in the possession and use of non-lethal and lethal weapons. It is not the intent of this policy to require officers to try each of the force options before moving to the next,

as long as the level of force used is reasonable under the circumstances encountered.

- 3.2.2 This policy establishes the standards in the Use of Force Continuum. The standards for training and certification on the Use of Force shall be determined by the Range Master with recommendations from the Firearms Instructor and the Marshals' Training and Staff Development Unit which will require the approval of the Administrator of the Courts.

3.3 DEFINITION OF TERMS

- A. **Less than lethal Force** - May be verbal and includes the use of an impact weapon (i.e. straight baton, PR-24, expandable baton), electronic restraint device or chemical/aerosol agents and physical efforts to seize, control, or repel a person (with or without a weapon).
- B. **Force Continuum** - Refers to the spectrum of force alternatives to moderate the level of response used in a given situation.
- C. **Deadly Force** - means force which a person uses with intent of causing, or which he knows to create a substantial risk of causing death or serious bodily injury. (§7.76, 9 GCA)
- D. **Reasonable belief** - Facts or circumstances the officer knows or should know can cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
- E. **Serious physical injury** - Bodily injury that creates a substantial risk of death serious permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.
- F. **Disparity of Force** - The Use of Force to overcome or equal the disproportionate amount of force such as force of numbers, able bodied versus the disable, male vs. female and physical size and strength, which can cause immediate, imminent and unavoidable serious bodily injury or death.

3.4 LESS-THAN-LETHAL WEAPONS

Officers are authorized to possess and utilize less-lethal weapons when applying the necessary force to effectuate an arrest, prevent serious bodily injury or protect their lives or the lives of others. Completion of a certification course and written

authorization from the division head is required prior to possession and use of less-lethal weapons. Re-certification shall be mandatory every two years.

The authorized less-lethal weapons for Officers are as follows:

- a. 12 gauge - Less Specialty Impact Munitions (Bean bags, Wood dowels, Rubber or Chemical Projectiles)
- b. (OC)Pepper Spray, Mace, or (OC) Aerosol Chemical Projector
- c. Asp /Monadnock Expandable Baton
- d. Riot or Straight Baton
- e. PR-24 Baton

3.5 USE OF FORCE CONTINUUM

- 3.5.1 Whenever the use of force is reasonable and necessary, an officer shall, to the extent possible, use an escalating scale of options (Force Continuum) to control, apprehend, or protect their lives or others. An officer shall not employ a more forceful means unless it is determined that the lower level of force would not be, or has not been adequate. officers must exercise good judgment, discipline and restraint in the use of non-lethal and lethal weapons. The circumstances of each situation, with the experience and training of the officer, will dictate the level of force at which an officer will start. Officers may escalate or de-escalate the use of force continuum based on the resistance from the subject(s).
- 3.5.2 When an officer is faced with split second decisions, the officer should consider the available less-lethal options before employing deadly force when reasonable and possible. This of course may not be an avenue to consider when the officer perceives that a less-than-lethal weapon is clearly not an option, but rather warrants the use of deadly force. When the Use of Force is necessary, the degree of force that is used should be in direct relationship to the amount of resistance used by the person, or the immediate threat the person poses to an officer.
- 3.5.3 Officers shall ensure that first aid procedures are administered as soon as possible to subjects where injuries are involved in the application of the Use of Force.

3.6 LEVELS OF USE OF FORCE

- 3.6.1 **Verbal Force** - Verbal commands must be given to direct and let the subject know what you expect of him. Officers must identify themselves to the subject. Verbal Force may be in the form of persuasion, advice, warnings, or orders. Volume and tone control in and of itself may be progressive in nature.
- 3.6.2 **Unarmed Tactics** -This involves the actual necessary physical contact when the subject uses passive resistance or the subject needs prompting to comply by physical means such as necessary pain compliance holds, escort positions or pressure point control tactics.
- 3.6.3 **Use of Less-Lethal Weapons** - This involves the use of less-lethal weapons to control a person who becomes aggressive or is actively resisting physically, or is armed with an object that can be construed as a weapon that could cause serious injury or death. An officer is justified in using non-lethal weapons to gain compliance with a lawful order when the use of lesser means, such as verbal force and unarmed tactics, has failed or clearly would not be effective, and provided the force used is not more than what is required to gain compliance. The routine use of handcuffs shall not be reportable use of force.
- 3.6.4 **Use of Less-than-Lethal Projectiles (12 gauge ammunition)** - There are many types of less-than-lethal ammunition out in the market that may be used such as the "bean bag" 12 gauge non-lethal ammunition. This may be used when the circumstances allow for the officer to load such ammunition and the officer determines such ammunition may be deployed before considering lethal means. Such use of force options are deployed in situations where there is riot, barricaded suspects or civil disturbances.
- 3.6.5 **Use of Deadly Force** - Deadly Force is used to incapacitate or stop an assailant from completing a potentially deadly act or serious bodily injury that may be immediate, imminent and unavoidable towards innocent persons or the officers.
- a. When an officer is about to invoke the Use of Deadly Force, they should when possible issue a verbal warning to the suspect, identifying themselves and instructing the suspect to cease whatever

action the suspect is doing that has caused the officer to consider the Use of Deadly Force.

- b. Intentionally firing a firearm in the direction of another person or at a moving vehicle constitutes deadly force. A threat to cause death or serious bodily injury does not constitute deadly force, so long as the defendant's intent is limited to creating an apprehension that he will use deadly force if necessary. (§7.76, 9 GCA)

3.7 JUSTIFIABLE USE OF DEADLY FORCE (9GCA, 7.92)

- A. The officer reasonably believes that it is necessary to protect himself or others from an immediate or imminent threat of death or serious physical injury.
- B. The arrest is for a felony; although there may be an incident which started as a misdemeanor arrest which escalates into a felony offense.
- C. The force employed creates no substantial risk of injury to innocent persons.
- D. The crime for which the arrest is made involved conduct including the use or threatened use of deadly force.
- E. There is substantial risk that the person to be arrested will cause death or serious bodily harm if his apprehension is delayed.
- F. The officer is making or assisting in making an arrest and that such force is immediately necessary to effect a lawful arrest.
- G. To prevent the escape of an arrested person from custody if the escapee could do serious or deadly bodily harm to another person if not stopped.
- H. The use of such force is necessary to suppress a riot or mutiny after the rioters or mutineers have been ordered to disperse and warned that such force will be used if they do not obey.

Note: An officer should always bear in mind the escalation, de-escalation and restrictions on the Use of Force. The danger must be present at the time the force is used and reputation alone will not serve as a justification. Just because a person "was known to" carry firearms in the past does not justify the use of deadly force. Facts unknown to an officer, no matter how compelling, cannot be considered in later determining whether a shooting was justified.

3.8 HOLDING FIREARMS ON SUBJECTS

Firearms are defensive weapons to be used only as a last resort in preventing the loss of lives or serious bodily injury to officers or others. An officer should not draw his/her weapon unless the officer reasonably believes that a threat of deadly force is present. Manual safeties of double-action semi-automatic pistols should normally be disengaged when the weapon is drawn. When holding a firearm to a subject where an officer is not yet justified in shooting, the officer should hold the firearm in the "high-ready" position, a firearm ready stance where the weapon is pointed approximately at the subject's groin. The weapon should not be held too high that it obstructs the officer's view on the subject's hands or belt line and the trigger finger shall be outside the trigger guard, to prevent unintentional discharge. If the decision to shoot is made, the trigger finger is then placed on the trigger as the weapon's sights are raised to center mass. Once the subject complies, the officer decides not to shoot, and the situation becomes safe, then officer's weapon shall be holstered and fastened.

3.9 RESTRICTIONS & CONDITIONS IN THE USE OF DEADLY FORCE

- A. Warning Shots - Officers shall not discharge their weapons for the purpose of warning a suspect.
- B. Shoot to Stop - Officers do not shoot to kill but rather to incapacitate or stop an assailant from completing a potentially deadly act. For maximum stopping effectiveness and minimum danger to innocent bystanders, officers should shoot at the center of a person's body mass.
- C. At or from moving vehicles - Officers should never fire from a moving vehicle. Firing at a moving vehicle is generally prohibited and should not be done for the purpose of disabling or stopping the vehicle. Firing at a moving vehicle would be considered justifiable when there is reasonable cause to believe that the moving vehicle or the person inside poses a serious and imminent threat to the life of an officer or others.
- D. Fleeing Felon- Deadly Force may be used to apprehend a fleeing felon (a person who an officer has reasonable cause to believe has committed a violent felony and is fleeing from the officer), only when an officer reasonably believes that it is necessary to protect himself or others from an immediate or imminent threat of death or serious bodily injury. (§ 7.92 (d) 9 GCA)

- E. Substantial risk of injury to innocent persons - Officers should be cognizant of their field of fire and should not use deadly force when such force presents substantial risk of injury to innocent persons. (§ 7.92 (g) (2)(A) 9 GCA)

3.10 REPORTING POST USE OF FORCE: NON-LETHAL AND LETHAL PROCEDURE

- A. After a shooting incident, the senior officer or the officer involved in the shooting shall report the incident to the Guam Police Department and respective immediate supervisor or division chief.
- B. When injury or death occurs in the use of less-lethal force, the officer involved shall contact the Guam Police and his/her immediate supervisor and/or division chief regarding the incident.
- C. The senior officer at a shooting scene shall advise the officer(s) involved to contact an attorney.
- D. The officer involved in a shooting shall immediately surrender the issued weapon used to the senior officer or supervisor unless confiscated by the Guam Police.
- E. The senior officer shall be responsible for contacting the family of the officer involved in the shooting incident.
- F. Whenever an officer applies less than lethal force resulting in injury, an incident report shall be submitted the next working day to their respective Division Chief and a copy to the Administrator of the Courts. The written report shall include the circumstances surrounding the incident, the Use of Force applied, description of injuries and medical treatment, if any received. The report shall also include the parties involved, date, time and location of the incident, and witnesses, if any.
- G. Whenever a Deputy Marshal or Probation Officer discharges a firearm other than for training purposes, an incident report shall be submitted the next working day to the respective division chief and a copy to the Administrator of the Courts. The written report shall include the circumstances surrounding the shooting incident, type of firearms used and the number of rounds discharged. The report shall also include the parties involved, identity of injured parties and the nature and severity of injuries, date, time and location of the incident, property damage, and witnesses, if any.

H. The Administrator of the Courts may commence an investigation on the Use of Force incident (less-lethal weapons and unarmed tactics).

3.11 POST SHOOTING CLINICAL EVALUATION

- A. The Division Chief, supervisor or Human Resources Administrator shall refer the officer involved in the shooting incident for clinical evaluation with the Court's clinical psychologist as part of the employee assistant program.
- B. If a psychologist determines that the officer is emotionally affected by the experience, the officer should not be reissued a weapon and allowed 24 hours rest before an interview is done. Administrative leave may be allowed in accordance with the court's rules and regulations.
- C. Once the psychologist determines that the officer may assume duty, then a replacement weapon may be issued to the officer upon approval by division chief and Administrative Director. The issuance of another weapon shall be in accordance with the Court's Firearms Policy.

3.12 EXCESSIVE USE OF FORCE: This is the application of force that is in excess of the necessary force to safely accomplish an arrest or gain the compliance of a subject. An officer is subject to disciplinary or adverse actions should the findings of an internal investigative panel prove he or she utilized excessive force or unjustified use of deadly force.

3.13 ADMINISTRATIVE REVIEW ON THE USE OF FORCE

3.13.1 Internal Investigation Panel

Upon notification of a shooting incident or injuries sustained in the Use of Force, the respective division chief shall submit a request to the Administrator of the Courts for the immediate appointment of three (3) individuals to an Internal Investigation Panel (IIP). The panel shall be composed of one Marshal Supervisor, one Marshal, and one Probation Officer in the case of a Probation Officer's Use of Force incident, and vice versa in the case of a Marshal's Use of Force incident. For justified reasons, the officer involved may request a replacement of a panel member.

The IIP shall investigate the circumstances of the incident to determine if the Use of Force causing injuries or death was justified or unjustified. The completed investigation report shall be forwarded to the Administrator of the Courts within ten days from the date of appointment of the members. The Administrator of the Courts shall determine the type of disciplinary actions to be imposed should the findings reveal an unjustifiable Use of Force which caused injuries or death.

3.13.2 Relief from Duty

An officer who has been involved in a serious Use of Force incident inflicting injuries or death, shall be placed on administrative leave, with pay, for three (3) weeks by the Administrator of the Courts. Such leave shall be an administrative course of action to relieve the officer from further performance of duties while undergoing the emotional stress from the incident and permits an unbiased, objective investigation. This course maintains the public's confidence in court management. The administrative leave may be shorter or longer than three weeks depending on the severity of the incident and at the Administrator of the Courts' discretion.

Administrative investigations should be conducted with tact and confidentiality. The officer involved in the Use of Force incident shall be treated with the same respect and dignity that any officer taking a line of duty action deserves.

3.13.3 Return to Duty Status

- a. Pending completion of the investigation, the officer may be recalled to duties not requiring the use of firearms; or
- b. Upon receipt of a psychological evaluation recommending the ability to return to duty, the officer shall be re-instated .
- c. Investigation report determines Justified Use of Force.

3.14 RESPONSIBILITY - It shall be the responsibility of the division chiefs, Human Resources office and supervisors to ensure that each officer receives the required training and needed equipment to enable them to properly apply the Use of Force continuum. Such training shall be documented and filed in personnel jackets at the division level and Human Resources Office. Accountability of equipment issued shall also be documented and filed with the division chiefs. The issuance of weapons is subsequent after successful training and certification. It is also each officer's responsibility to attend and complete the required re-qualification and certification training in conjunction with their role as peace officers.


- 3.15 **OTHER PROVISIONS** - In the field of Law Enforcement, new equipments, methods and techniques in the Use of Force Continuum are frequently changing. This Policy shall cover future use of new methods, equipments and techniques in Force Continuum as applicable. Judicial management and Human Resources shall seek resources or avenues to make training more practical, such as the Firearms Training System (FATS).
- 3.16 **VIOLATION OF POLICY** - Officers failing to comply with any provision of this administrative policy may face administrative disciplinary actions pursuant to Personnel Rules and Regulations.
- 3.17 **ADMINISTRATIVE AUTHORITY ON POLICY ENFORCEMENT**
Supervisors, deputy chiefs and chiefs have the authority to impose disciplinary action of a written reprimand or recommendation of an adverse action to the Administrator of the Courts. The Administrator of the Courts shall exercise his authority to make decisions on issues and matters related to court-issued firearms that may not be covered by this policy. As the appointing authority for the Judiciary of Guam, the Administrator of the Courts may impose adverse disciplinary action up to termination or dismissal as prescribed by law and personnel rules and regulations.
- 3.18 **IMPLEMENTATION DATE AND SUBSEQUENT AMENDMENTS**
This administrative policy is effective upon the date of signing below. Any subsequent changes to the effective date shall require new signatures and a notation on what the amendments or changes are made effective.


PERRY C. TAITANO

Administrator of the Courts

4/18/08
Date

APPROVED AS TO FORM:



B. ANN KEITH

Staff Attorney

Administrative Office of the Courts

4-18-08

Date

JUDICIARY OF GUAM

CERTIFICATION OF COMPLETION OF MINIMUM QUALIFICATION/ GLOCK ACQUISITION FORM

NAME OF NEW EMPLOYEE:	TITLE:	DIVISION/SECTION:	DATE:
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DESCRIPTION OF ISSUED FIREARM

MANUFACTURER:	MODEL:	SERIAL NUMBER:
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COMPLETION OF MINIMUM QUALIFICATION

TO BE COMPLETED BY RANGE MASTER

COURSE ACCOMPLISHED:	PASSING SCORE	EMPLOYEE'S SCORE	DATE OF QUALIFICATION
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NAME & TITLE OF CERTIFYING RANGE MASTER:

SIGNATURE OF CERTIFYING RANGE MASTER:

ACQUISITION OF JUDICIARY FIREARM

TO BE COMPLETED BY EMPLOYEE

BY SIGNING BELOW, I _____ AN EMPLOYEE OF THE JUDICIARY OF GUAM, ACKNOWLEDGE THAT

(a) I HAVE SUCCESSFULLY COMPLETED THE FIREARMS FAMILIARIZATION AND QUALIFICATION TRAINING AS REQUIRED BY THE ADMINISTRATIVE OFFICE OF THE COURTS ADMINISTRATIVE POLICY #UJ08-01 SECTION 1.2.B.

(b) I HAVE SUBMITTED A COPY OF MY VALID FIREARMS IDENTIFICATION, ISSUED BY THE GUAM POLICE DEPARTMENT, TO THE HUMAN RESOURCES OFFICE OF THE JUDICIARY OF GUAM.

(c) I HAVE RECEIVED THE ABOVE DESCRIBED FIREARM ALONG WITH THE FOLLOWING ACCESSORIES: CLEANING ROD & BRUSH, AMUNITION GUIDE AND FIREARMS INSTRUCTION BOOKLET.

EMPLOYEE SIGNATURE: _____

FIREARMS INSPECTION AND SAFE USE

TO BE COMPLETED BY CERTIFIED ARMORER

I CERTIFY THE ABOVE DESCRIBED WEAPON HAS BEEN INSPECTED AND IS IN SAFE MECHANICAL OPERATING CONDITION AS OF THIS _____ DAY OF _____, 20 ____.

Firearms Condition (check): NEW _____ USED _____

NAME & TITLE OF CERTIFYING ARMORER:

SIGNATURE OF CERTIFYING ARMORER:

CERTIFICATION FOR USE OF FIREARM ON OFFICIAL DUTY

I CERTIFY THAT THE DEPUTY MARSHAL / PROBATION OFFICER IDENTIFIED ABOVE HAS MET ALL REQUIREMENTS PRESCRIBED BY THE JUDICIARY OF GUAM AND IS FULLY CAPABLE OF USING ISSUED FIREARM FOR OFFICIAL DUTY.

DIVISION MANAGER, SIGN & DATE



JUDICIARY OF GUAM

Administrative Office of the Courts
Human Resources Office

Guam Judicial Center • 120 West O'Brien Dr • Hagåtña, Gu. 96910
Telephone: (671) 475-3399/3239/3329/3422/3583 • Fax: (671) 477-8520



Hon. Robert J. Torres
Chief Justice

Hon. Alberto C. Lamorena III
Presiding Judge

Danielle T. Rosete, Esq.
Administrator of the Courts

Barbara Jean T. Perez
Human Resources Administrator

CERTIFICATION OF FIREARMS QUALIFICATION & ISSUANCE

NAME OF EMPLOYEE: (Last, First, Middle)		POSTION: (Job Title/ Rank)		DIVISION:
FIREARMS ID NO:		ISSUED DATE:	EXPIRATION DATE:	DATE OF EMPLOYMENT: (Month/Year)

DESCRIPTION OF ISSUED DUTY FIREARM

Manufacturer:	Model:	Caliber:
Serial Number:	Type:	
Registered Owner:	Registration Number:	

QUAL DATE	COURSE OF FIRE	WEAPON INFO:	STATUS: E / Q / UQ	SHOOTER SIGNATURE:
	DAY / NIGHT	Court Issued / Private	HIGHEST POSSIBLE SCORE:	INSTRUCTORS PRINT NAME:
Firearms ID Exp:	OTHER COURSE:	Model/Type:	PASSING SCORE:	INSTRUCTORS SIGNATURE:
		Serial #:	SHOOTER SCORE: /	DIVISION MANAGER SIGNATURE:
QUAL DATE	COURSE OF FIRE	WEAPON INFO:	STATUS: E / Q / UQ	SHOOTER SIGNATURE:
	DAY / NIGHT	Court Issued / Private	HIGHEST POSSIBLE SCORE:	INSTRUCTORS PRINT NAME:
Firearms ID Exp:	OTHER COURSE:	Model/Type:	PASSING SCORE:	INSTRUCTORS SIGNATURE:
		Serial #:	SHOOTER SCORE: /	DIVISION MANAGER SIGNATURE:
QUAL DATE	COURSE OF FIRE	WEAPON INFO:	STATUS: E / Q / UQ	SHOOTER SIGNATURE:
	DAY / NIGHT	Court Issued / Private	HIGHEST POSSIBLE SCORE:	INSTRUCTORS PRINT NAME:
Firearms ID Exp:	OTHER COURSE:	Model/Type:	PASSING SCORE:	INSTRUCTORS SIGNATURE:
		Serial #:	SHOOTER SCORE: /	DIVISION MANAGER SIGNATURE:
QUAL DATE	COURSE OF FIRE	WEAPON INFO:	STATUS: E / Q / UQ	SHOOTER SIGNATURE:
	DAY / NIGHT	Court Issued / Private	HIGHEST POSSIBLE SCORE:	INSTRUCTORS PRINT NAME:
Firearms ID Exp:	OTHER COURSE:	Model/Type:	PASSING SCORE:	INSTRUCTORS SIGNATURE:
		Serial #:	SHOOTER SCORE: /	DIVISION MANAGER SIGNATURE:
QUAL DATE	COURSE OF FIRE	WEAPON INFO:	STATUS: E / Q / UQ	SHOOTER SIGNATURE:
	DAY / NIGHT	Court Issued / Private	HIGHEST POSSIBLE SCORE:	INSTRUCTORS PRINT NAME:
Firearms ID Exp:	OTHER COURSE:	Model/Type:	PASSING SCORE:	INSTRUCTORS SIGNATURE:
		Serial #:	SHOOTER SCORE: /	DIVISION MANAGER SIGNATURE:
QUAL DATE	COURSE OF FIRE	WEAPON INFO:	STATUS: E / Q / UQ	SHOOTER SIGNATURE:
	DAY / NIGHT	Court Issued / Private	HIGHEST POSSIBLE SCORE:	INSTRUCTORS PRINT NAME:
Firearms ID Exp:	OTHER COURSE:	Model/Type:	PASSING SCORE:	INSTRUCTORS SIGNATURE:
		Serial #:	SHOOTER SCORE: /	DIVISION MANAGER SIGNATURE:

ADDITIONAL QUALIFICATION REMARKS LOCATED ON OTHER SIDE

ACKNOWLEDGMENT OF ISSUANCE

I understand the responsibilities accompanying the issuances, possession, and use of firearms, either on or off duty, and know that I may be held criminally and civilly liable for any death, injury or damage caused by my negligence, reckless or intentional misuse of the weapon. I will reimburse the Court for any repair or replacement costs the Court may incur due to my negligence, reckless or intentional misuse of my court issued weapon. I understand that the court is not responsible for the repair or replacement of my personal firearm which may be used for Official Government duties. I certify that I received and understand the Court's Firearms Policy. Finally, I certify that I underwent the required firearm safety training and qualified in the use of this particular weapon in accordance with the Court's Firearms Policy.

" The Judiciary of Guam is an equal opportunity provider and employer."

JUDICIARY OF GUAM

Authorization for Use of Privately Owned Firearm

NAME OF REQUESTOR:	TITLE:	DIVISION/SECTION:	DATE OF REQUEST:
--------------------	--------	-------------------	------------------

DESCRIPTION OF FIREARM

MANUFACTURER:	MODEL:	CALIBER:	SERIAL NUMBER:
TYPE (Check One): / / REVOLVER / / PISTOL / / RIFLE / / SHOTGUN			
REGISTERED OWNER:			

JUSTIFICATION FOR USE

PLEASE PRINT OR TYPE

BY SIGNING BELOW, I ACKNOWLEDGE THAT I UNDERSTAND THAT THE USE OF MY PRIVATELY OWNED FIREARM FOR OFFICIAL DUTY WILL BE SUBJECT TO THE RULES AND REGULATIONS STATED IN THE ADMINISTRATIVE POLICY #UJ08-01 AS IF IT WERE A JUDICIARY OWNED WEAPON. UNLESS OTHERWISE EXEMPTED BY THE MARSHAL OF THE COURT OR THE CHIEF PROBATION OFFICER OF THE JUDICIARY OF GUAM BY SPECIFIC ORDER OF PROMULGATION OF GENERAL ORDERS, RULES, REGULATIONS OR POLICY. I ALSO UNDERSTAND THAT ACCORDING TO ADMINISTRATIVE POLICY #UJ08-01, "THE COURT SHALL BEAR NO RESPONSIBILITY FOR DAMAGE OR LOSS OF PRIVATELY OWNED WEAPONS UTILIZED FOR OFFICIAL DUTY."

SIGNATURE OF REQUESTOR: _____

SAFETY CERTIFICATION

I CERTIFY THE ABOVE DESCRIBED WEAPON HAS BEEN INSPECTED AND IS IN SAFE MECHANICAL OPERATING CONDITION AS OF THIS _____ DAY OF _____, 20 _____.

NAME & TITLE OF CERTIFYING ARMORER:

SIGNATURE OF CERTIFYING ARMORER:

CERTIFICATION OF PROFICIENCY

HIGHEST POSSIBLE SCORE	PASSING SCORE	REQUESTOR'S SCORE	DATE OF QUALIFICATION
------------------------	---------------	-------------------	-----------------------

NAME & TITLE OF CERTIFYING RANGE MASTER:

SIGNATURE OF CERTIFYING RANGE MASTER:

CONCURRED BY:

RECOMMEND: / / APPROVAL / / DISAPPROVAL

DIVISION MANAGER, SIGN & DATE

MARSHAL OF THE COURT, SIGN AND DATE

/ / APPROVED / / DISAPPROVED

ADMINISTRATOR OF THE COURTS, SIGN AND DATE



Judiciary of Guam

Marshals Division Guam Judicial Center

120 West O'Brien Drive Hagatna, Guam 96910

Phone: 475-3216/3322 Facsimile: 477-2644

Troy D.M. Pangelinan
Marshal of the Courts



Joseph J. Leon Guerrero
Deputy Chief Marshal
FBI CJIS Systems Officer

EVIDENCE/PROPERTY CUSTODY RECEIPT

1. CLASSIFICATION	2. CASE NO.	3. DIVISION	4. PROPERTY NO.	5. LAB NO.
6. NAME OF PERSON FROM WHOM PROPERTY IS OBTAINED <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER		7. ADDRESS		
		8. PHONE (H) _____ (W) _____		
9. LOCATION OF PROPERTY WHEN OBTAINED				
10. PURPOSE FOR WHICH OBTAINED <input type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND <input type="checkbox"/> IMPOUNDED <input type="checkbox"/> ANALYSIS (Attach Evidence Analysis Request Form, G.O. 85-11) <input type="checkbox"/> OTHER (specify) _____				11. DATE/TIME OBTAINED
12. ITEM NO.	13. QUANTITY	14. DESCRIPTION OF PROPERTY		15. DISPOSAL ACTION

16. CHAIN OF CUSTODY

ITEM NO.	DATE & TIME	RELINQUISHED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
		NAME (Type or print) _____ Signature	NAME (Type or print) _____ Signature	
		NAME (Type or print) _____ Signature	NAME (Type or print) _____ Signature	
		NAME (Type or print) _____ Signature	NAME (Type or print) _____ Signature	