

CNMI Enforcement Officer Training Agenda
March 17 - 21, 2014
Pacific Islands Club (PIC)
Charley's Cabaret

Presenters:

1. Delegate Wayne Andrew, Regional Mentor, Pacific Islands Managed and Protected Areas Community (PIMPAC)
2. Sgt. Mark Aguon, Government of Guam
3. Vicente Michael Naputi, Government of Guam

TRAINING OBJECTIVES

Goal: To increase capacity of conservation practitioners, especially enforcement officers of regulatory agencies in the Commonwealth of the Northern Mariana Islands (CNMI).

Objectives: By the end of this training, all participants, particularly enforcement officers from the various CNMI governmental agencies, will be equipped with the skills necessary...

1. To perform enforcement duties more efficiently and effectively;
2. To make safety a paramount importance in the performance of their duties; and
3. To develop a draft Standard Operating Procedure (SOP) appropriate to his/her respective agency.

Training Program Approach

This training is set up in such a way that participants from the various agencies and organizations can all benefit. Participants can opt out of one or more sessions, based on level of interest and skills needed for their position. However, in order to gain the most knowledge and because the content and skills build in each session, we recommend that participants commit to attending the full sessions signed up for. Only those participants who complete the five-day sessions will receive a certificate of completion on the last day. In addition, in order to maximize the training's objectives, we also included a mini training session during lunch.

On the third day of training, there will be a one-day field trip to Managaha. On Wednesday, March 19, the participants of this five-day training session will spend the day at Managaha.

Enforcement Training Agenda

Monday, March 17, 2014	~ Day One
8:00 - 8:30 a.m.	<p>Registration:</p> <ul style="list-style-type: none"> ➤ Sign-in sheet
8:30 - 9:00 a.m.	<p>Remarks, Introductions and General Housekeeping:</p> <ul style="list-style-type: none"> ➤ Welcoming Remarks ~ Frank Rabauliman, Administrator (Bureau of Environmental and Coastal Quality - BECQ) ➤ Introduction of Presenters ~ Fran Castro, Director (Division of Coastal Resources Management - DCRM) ➤ General Housekeeping
9:00 – 10:00 a.m.	<p>Background and Introductions:</p> <ul style="list-style-type: none"> ➤ Background of Presenters ~ All presenters ➤ General Introductions ~ All participants ➤ Background and Overview of Training Program ~ Delegate Wayne Andrew ➤ DCRM Regulations - Kate Fuller ~ Assistant Attorney General (AAG) and Legal Counsel for BECQ ➤ Areas of Particular Concern (APC) –Lainie Zarones
10:00 - 10:15 a.m.	BREAK
10:15 - 11:00 a.m.	<p>Basic or Preliminary Investigation: What does it mean?</p> <ul style="list-style-type: none"> ➤ Law Enforcement and Basic Rights
11:00 a.m. – 12:00 p.m.	<p>Monitoring, Surveillance and Patrol:</p> <ul style="list-style-type: none"> ➤ Effective uses in different regulatory agencies
12:00 to 1:00pm	Lunch ~ Charley's Cabaret, PIC
1:00 - 2:30 p.m.	<p>How do you apply it in the various CNMI agencies from complaint to resolution?</p> <ul style="list-style-type: none"> • BECQ: Division of Coastal Resources Management (DCRM) • BECQ: Division of Environmental Quality (DEQ) • Department of Public Safety (DPS): Division of Boating Safety • Dept. of Lands and Natural Resources (DLNR): Div. of Fish and Wildlife (DFW) • Historic Preservation Office (HPO) and Saipan Zoning • Non-governmental Organization: Mariana Islands Nature Alliance (MINA)
2:30 - 2:45 p.m.	BREAK
2:45 – 3:15 p.m.	Annie Agulto, CRM Permit Manager – Monitoring and Enforcement of Permits (Major, Minor, APCs)
3:15 p.m – 4:30 p.m.	Effective Enforcement and Understanding of MPA Enforcement (Wayne)

Agenda ~ Tuesday, March 18, 2014

Tuesday, March 18, 2014	~ Day Two
8:00 - 8:30 a.m.	<p>Registration:</p> <ul style="list-style-type: none"> ➤ Sign-in sheet
8:30 - 9:00 a.m.	<p>Recap on yesterday's training:</p> <ul style="list-style-type: none"> ➤ What did you learn? ➤ What questions do you have on yesterday's agenda?
9:00 - 9:45 a.m.	<ul style="list-style-type: none"> ➤ 312 Evaluation Metrics ~ Lainie Zarones, Ph.D., DCRM Lead Planner ➤ Metric #2 ~ Improve Enforcement Presence
9:45 a.m. – 10:00 a.m.	BREAK
10:00 – 11:00 a.m.	<p>Order of Precedence: U.S. Constitution and Bill of Rights, CNMI Constitution, CNMI Laws, Regulations, Policies and Procedures - Kate Fuller, Assistant Attorney General, BECQ</p> <ul style="list-style-type: none"> ➤ Basic Individual Rights and Freedoms: (selected applicable ones) ➤ 4th Amendment ~ Freedom from unreasonable Searches and Seizures ➤ 5th Amendment ~ Freedom from Self-Incrimination ➤ 6th Amendment ~ Right to Confront Witnesses and Right to Counsel ➤ 14th Amendment ~ Basic Right of a Defendant, Requisites for Trial (Due Process), and Equal Protection Right
11:00 - 12:00 p.m.	<p>Due Process and the 5th and 14th Amendments: James Zarones, DPS Legal Counsel</p> <ul style="list-style-type: none"> ➤ What is Due Process and how does it apply to everyday enforcement activities? ➤ Due process application in different agencies when interacting with perpetrators
12:00 to 1:00pm	
1:00 - 2:30 p.m.	LUNCH
2:30 - 2:45 p.m.	<p>Networking and jurisdictional issues:</p> <ul style="list-style-type: none"> ➤ Networking ~ Define it and give examples often encountered. ➤ Jurisdiction ~ What does it mean? ➤ Do enforcement officers speak to each other? Give real-life examples. ➤ Interoperability ~ Do equipment speak to each other? (i.e. radios, etc.)
2:45 - 3:45 p.m.	BREAK
3:45 - 4:15 p.m.	<p>Standard Operating Procedures (SOPs):</p> <ul style="list-style-type: none"> ➤ What is it and why is it important to have? ➤ What are the necessary parts of an effective SOP? ➤ Critique each other's SOP and suggest ways to improve further. ➤ Group Activities: (All EOs from each agency work together as a group) <ul style="list-style-type: none"> • Discuss and develop a draft SOP that is appropriate for your work. • Present draft SOP to the entire group for comments.
4:15 p.m. to 4:30 p.m.	<p>Group Activities:</p> <ul style="list-style-type: none"> ➤ Groups will develop or revise their SOPs ➤ Presentation of revised SOPs

	<p>Kodep Ogumoro: Managaha Rare Pride Campaign Reminder: Be at the Marina Cove no later than 8:15 a.m. tomorrow.</p>
--	--

Wed., March 19, 2014	~ Day Three
8:00 - 8:30 a.m.	Meet at the Marina Cove
9:00 a.m.	Boat leaves for Managaha
11:30 a.m. to 1:00pm	LUNCH (provided by MINA)
3:30 - 3:45 p.m.	Prepare to depart Managaha
3:45 p.m.	<p>➤ BOAT LEAVES FOR SAIPAN</p> <p>PROPOSED TOPICS FOR THE DAY: Understanding MPA and its enforcement:</p> <ul style="list-style-type: none"> ➤ What does MPA mean and how do you enforce an MPA? ➤ Boat trip around Managaha to show abundance and size of various fish species. ➤ Illegal taking defined. ➤ Managaha Conservation Plan (MCP). Why it is necessary and does it work? ➤ Effective patrolling, surveillance, and monitoring techniques in place. Can these be improve? ➤ Greg Moretti, Executive Director, PMRI <ul style="list-style-type: none"> • Presentation of Findings from the MPA Mgt Effectiveness Assessment from 2013 <p>Walk around Managaha:</p> <ul style="list-style-type: none"> ➤ Group discussions: <ul style="list-style-type: none"> • Is conservation necessary? Why or why not? • Locate different bird species and their nesting places. • What can be done to mitigate problem with the birds nesting here? • What can tourists and locals do to ensure fish and bird communities continue to thrive here without fear of extinction? <p>Boat Trip through the Heritage Trail:</p> <ul style="list-style-type: none"> ➤ Group discussions: <ul style="list-style-type: none"> • Is it necessary? • How was this trail established? • How do we protect it?

Thursday, March 20, 2014	~ Day Four
8:00 - 8:30 a.m.	Registration: ➤ Sign-in sheet
8:30 - 8:45 a.m.	Recap on Managaha trip: ➤ Was it useful for you at work? ➤ What did you learn? ➤ What questions do you have on yesterday's agenda?
8:45 - 10:00 a.m.	Illegal activities: ➤ Preliminary investigation, including crime scenes and evidence collection. ➤ Each participant will come up with a scenario and what it means in his line of work. ➤ Discussion on the following: <ul style="list-style-type: none"> • Basic handling of evidence. • Chain of custody. • Court appearance and presentation of evidence. ➤ Discussion: If no arresting rights like DFW and DPS, then what are our limits? <ul style="list-style-type: none"> • DCRM, DEQ, HPO, MINA and Zoning
10:00 - 10:15 a.m.	Break
10:15 - 11:30 a.m.	Scenario and incident reporting exercises: ➤ Agencies give examples of incident and other reports for discussion. ➤ Tips on how to improve your reporting procedures.
11:30 to 1:00pm	Lunch ~ Charley's Cabaret, PIC
1:00 - 2:30 p.m.	Issuing citations: ➤ Types and will they hold up in court? ➤ Why do some cases get thrown out or do not get prosecuted? <ul style="list-style-type: none"> • Length of time to report. • Length of time for AG to submit to court. • Other reasons?
2:30 - 2:45 p.m.	Break
2:45 - 4:15 p.m.	Report writing basics: ➤ Group Activity ~ Each group will critique another group's incident or citation report. ➤ Group discussion: <ul style="list-style-type: none"> • Name the scenario/situation. • How would each of you handle and report the situation? ➤ Investigative report writing
4:15 - 4:30 p.m.	OPEN DISCUSSION

Friday, March 21, 2014	~ Day Five
8:00 - 8:30 a.m.	Registration: ➤ Sign-in sheet
8:30 - 8:45 a.m.	Brief recap on yesterday's training session.
8:45 - 9:45 a.m.	➤ Assistant Public Auditor, Office of the Public Auditor <ul style="list-style-type: none"> • Ethics defined, ethical dilemmas, and ethical decision-making tools
9:45 - 10:00 a.m.	BREAK
10:00 - 12:00 p.m.	How does ethics apply in your everyday enforcement activities? ➤ Group Activity ~ Each one comes up with a situation where ethics plays a role. What did you learn from the Ethics presentation? Group Activity ~ Each one come up with a good rule of thumb. Group discussion: <ul style="list-style-type: none"> ➤ Name the scenario/situation. ➤ How would each of you handle the situation? ➤ What if you are not sure? ➤ Who do you call? ➤ How do you report the activity?
12:00 p.m. to 1:00pm	LUNCH – Charley’s Cabaret, PIC
1:00 - 2:00 p.m.	Outreach and Education: ➤ Group discussions: How does this apply to my work? <ul style="list-style-type: none"> • DCRM • DEQ • DFW • HPO • MINA • DPS
2:00 – 2:15 p.m.	BREAK
2:15 - 3:15 p.m.	Recap on everything covered in five-day training: ➤ Group discussions: <ul style="list-style-type: none"> • What worked? • What didn't work as well? • How can we make it work?
3:15 p.m. - 4:00 p.m.	Next steps Certificate Ceremony Evaluation of presenters, logistics, length, etc. Training concludes

Community – 2.5 – 3 days of time if it is separate or whole week if they are together. Good to keep them together because it strengthens the relationship between agencies and community volunteers

- What's reportable
- How to relay info
- Education/outreach
- Survival

Community Component: Community Conservation Reservist/Stewardist

Develop toolkit – that looks like:

- Manual (SOP) that can be used to train by the authority (community conservation program) – to expand enforcement effectiveness
 - Entails laws from national and community level (cheat sheet - land and sea)
 - Procedures (do's and don't) – what you can do as a volunteer
 - Safety and survival (rules they should follow at all times and in the event that they follow those rules at all times they have survival skills)
 - Effective outreach – this needs to include regulatory agency laws not just MPAs (and how to communicate)
 - Ridge to Reef 101
 - Laws & Rules (land and marine)
 - Case Management / Processing - better be a violation of the law if you get enforcement officer to come
 - Over of chain of case management
 - Report writing - Who to contact from different agencies depending on the violation (routing)
 - Collection of good evidence, documentation, transportation, and storage
 - Court appearance –
 - In the event you are called to testify you have court training, what to expect - Request to appear (RTA) – bring all documents with you and each agency involved has to be part of RTAs
 - Disciplinary adverse action on stewards – if there is inappropriate behavior explains the consequences of that system. This would be done differently for each place. But should be spelled out for reservist so they know what is going to happen if they don't follow through with their duties, then there is right to dismiss. Jurisdiction has to decide what this is but it should be included in the SOP. This needs to include that you get to explain your story before anything happens not just disciplinary action without the person being able to plead their case (for lack of term).
 - Provide examples of disciplinary actions:
 - Under what example do people get fired
 - Under what examples do people get warning
 - Difference between gov't and chief system
- (Where certified to deploy certain techniques) Use of Force Rules - all stewards have to conform to use of force rules - need to understand the use continuum

- Equipment certification and operations – how equipment is to be used
-
- Community members could then get certified by formal enforcement program - Spell out the level of authority (possibility):
 - Level One approach – not certified
 - Level Two approach – certified
- Signing off of training record – to show you read and agree to the SOP -

Formal Enforcement: Follow guidelines under formal

Develop toolkit – that looks like:

- Manual (SOP) that can be used to train the authority (community conservation program) – to expand enforcement effectiveness
 - Entails laws from national and community level (cheat sheet - land and sea)
 - Procedures (do's and don't as per agency SOP) – what you can do as a formal enforcer
 - Safety and survival (rules they should follow at all times and in the event that they follow those rules at all times they have survival skills)
 - Effective outreach – this needs to include regulatory agency laws not just MPAs (and how to communicate)
 - Ridge to Reef 101
 - Laws & Rules (land and marine)
 - Case Management / Processing - better be a violation of the law if you get enforcement officer to come
 - Over view of chain of case management
 - Arrest procedures – which includes
 - Preliminary investigation
 - Information sharing, information gathering – building probable cause
 - Arrestee processing & transporting
 - Collection of evidence, Processing & transporting and storage of evidence (i.e. chain of custody)
 - Report writing
 - Supplement reports
 - Follow up investigation
 - Record keeping/ case law
 - Preparation for trial – request to appear (RTAs) at attorney general level prior court
 - Court appearances (grand jury or trial)
 - BUT it has to be in accordance with department SOPs and community, local, state and federal law
 - (Where certified to deploy certain techniques) Use of Force Rules - all officers have to conform to use of force rules - need to understand the use continuum
 - Equipment certification and operations – how equipment is to be used – has to be in accordance with CALEA standards

- Signing off of training record – to show you read and agree to the SOP - - has to be in accordance with CALEA standards
- MOU's/ JEA with the formal enforcement that the other enforcement agencies agrees to SOP and they know the laws, info, etc.
- Certification Options:
 -

Networking Component:

- Networking among agencies – happens because of personalities of officers not because of director level
 - What are the benefits of networking power point (show examples)
 - How you can train together w/o a budget
 - Information/skills sharing
 - Cross-agency Training that includes federal, state, local, etc.
 - Reservist programs (Guam)
 - Task Forcing (Guam)
 - Regular committees – for various topics (e.g. to support task force)
 - MOUs/ JEAs
 - E.O or High Level Directive – makes them look good and keeps work from dissolving
 - Case studies – Palau/Kosrae
 - How do create an effective network:
 - Budget
 - Coordinator
 - Assessments
 - Mission statement
 - MOU's
 - Meeting schedules
 - Reporting on the network – press releases/ etc.
 - Facilitated Process support (worksheets)
 - To help generate discussion possibly with different levels
 - Level one: no networking is happening now
 - Level two: existing networking is occurring but how to make it better
 - E.g. Individual Level – give them a card
 - One one side- what training you have
 - Other side – what you need
 - Use these cards to match skills and needs among the group -have a meeting of all members of the network (show common trends and needs, and who can support those needs)

ASSESSMENTS:

- Orgnaizational/Network Level Assessment –

- Send a list of things that this group can be certified in and they (GET FROM WAYNE)
 - Long list – all CALEA certified areas
 - Short list – paired down for Micronesia (add modified short list for formal enforcement program manual)
- How to develop and work with community reservists:
 - How to teach ownership and have pride?
 - Identify how much time and resources they can offer

Physical Toolbox: For Trainers:

- 10 Two way radios
- practice MEB's 35
- focus shields
- hand cuffs ASP and keys
- pepper spray
- waiver forms
- evidence bags
- markers
- tags
- duct tape
- bags
- string
- folders
- practice firearms (training guns with holsters) - 2 long arms/ 10 pistols
- practice edge weapons (knives)
- uniforms for trainers

Videos to explain some of these topics in trainings -Around key messages

- **Case management video – done by Vince**
- **Benefits of Networking – show videos of agencies doing joint enforcement/ group talking to congressmen**
- Introduction to PIMPAC enforcement toolkit and capacity building
- Complacency and Officer Safety
- **SOP**
- Videos on specific topics (education & outreach – what is it, purpose, what it includes, benefits, importance of keeping attendance, etc)

Manual for community is a very good idea. Maybe call “manual” the Standard Operating Procedure” which details their job.

Develop worksheets for trainings to fill out as the group goes along.

Need to get list of certification components:

- General MPA101 is critical – more ecology – Guam examples are really great.
- Need to have a set/agreed upon language for training (e.g. what we call community volunteers, term monitoring - being used for monitoring/ surveillance & biological)
- Case Studies!! Stories from are really helpful (Palau – fighting between agencies / Guam surveillance experience with kids)
- Enforcement story telling

Kodep

- Biggest concern by authority is liability with communities – potential need formal legal MOU
- Right now we give people stipends – how sustainable is this with the volunteer?
 - For stipend they have to do 21 hrs in Guam to get a stipend and have to be current for all certifications – long term volunteering is really hard
 - Or other incentives
- For MOU – liability issue – there is no way around that. If DFW is going to sign an MOA to use an SOP and do this type of enforcement – they have to go through the AG office. Tells people that SOP is in line with the law. And it relieves the agency of liability.
- Use volunteering as a stepping stone to becoming conservation officers – they have so many skills at that point. When position becomes available then they go internal.
- If there is some way to show that this is A mechanism for agencies to get new recruits it would be good but can't be formally stated.
- Wayne - FAS – once you start paying people you start weakening the traditional system. Need to be very careful before instituting something like that. Looking at it from a traditional system some of the benefits have to go back to the guys enforcement guys. So any fish coming in a portion of that has to be distributed to those guys.
- Get legislature to fund a smaller amount to use for volunteers (outreach, monitoring, etc) – get small stipend. This is much cheaper than hiring so many officers. But need a full time coordinator.
- So far we've only focus on marine but the regulatory agencies have to also be involved.
- End of trainings include invitation to high level leaders to do a summary of week and provide asks of what needs to be done.
- All reservist have to conform to use of force rules – if they are trained to be certified or need to understand the use.
- Equipment certification and operations – how equipment is to be used

CNMI Networking

•

Wayne/ Mike G

- What do you need to have effective enforcement? Think about it in layers
 - Volunteers no enforcement
 - Volunteers with some authority
 - Municipal level
 - State level
 - National level

- (e.g. what does an SOP look like for all different levels)
- Create questions for each layer
- Compliance/Enforcement document can provide some information about the assessment – takes you to a SWOT – in dropbox from Mike G. Focused a lot on site and could be transferred to higher level.
- Big difference between having a program in place and the organizational needs vs capacity building for an existing programs – we need to separate these.
 - Do you have the organizational capacity? Is the foundation there to even implement and SOP and if not, how can these be improved
 - Do they have the skills & knowledge

Friday – Wayne/Mike

- Need for larger concept paper for next three years on enforcement in Micronesia
- Need to develop training similar to CPR training – instructors, video, hands on components
- MOA with NOAA/USAID – both want to develop similar things – agree to share resources but acknowledge the other