

TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2025

H. B. 24- 39

A BILL FOR AN ACT

To establish Treatment Program Enforcement Officers within the Judiciary to carry out enforcement, supervision, and monitoring functions essential to the success of court-supervised treatment programs, and to ensure that these officers are fully recognized as law enforcement personnel under Commonwealth law.

**BE IT ENACTED BY THE 24TH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature finds that the Judiciary
2 of the Commonwealth of the Northern Mariana Islands employs various law
3 enforcement personnel, including Community Supervision Officers and
4 Compliance Officers under 1 CMC § 3207. These officers exclusively serve the
5 Drug Court and are authorized to supervise participants, conduct home and work
6 visits, perform drug testing, monitor compliance, and make arrests.

7 The Legislature further finds that similar enforcement and supervision
8 functions are necessary for other court-supervised treatment programs administered
9 by the Judiciary, such as the Mental Health Court Docket. These programs provide
10 rehabilitative services as an alternative to traditional criminal prosecution,
11 sentencing, or incarceration. Like Drug Court, these programs require robust

1 enforcement and participant monitoring to ensure accountability, public safety, and
2 successful rehabilitation.

3 However, current law limits Community Supervision Officers and
4 Compliance Officers to the Drug Court, creating a statutory gap that restricts the
5 Judiciary’s ability to assign such officers to other court-supervised treatment
6 programs.

7 To address this gap, this Act reclassifies the Community Supervision
8 Officers and Compliance Officers as Treatment Program Enforcement Officers.
9 This reclassification preserves the core enforcement and supervision
10 responsibilities of the former positions while enabling the Judiciary to deploy these
11 officers not only within Drug Court but also across all court-supervised programs—
12 whether structured as a treatment docket or treatment court, and whether
13 established by statute, court rule, or judicial administrative order. Because
14 Community Supervision Officers and Compliance Officers are currently
15 recognized as law enforcement officers under various provisions of
16 Commonwealth law, this Act also updates those statutory references accordingly,
17 thereby maintaining officer benefits and responsibilities under the revised statutory
18 framework.

19 By creating this statutory framework and aligning key definitions, the
20 Commonwealth strengthens its capacity to deliver rehabilitative justice while
21 preserving public safety and maintaining officer accountability.

1 **Section 2. Enactment.** Section 3208 of Article 1, Chapter 2, Division 3,
2 Title 1 of the Commonwealth Code is hereby enacted to read as follows:

3 **“§ 3208. Treatment Program Enforcement Officers.**

4 (a) The Presiding Judge of the Superior Court may employ Treatment
5 Program Enforcement Officers to supervise, monitor, and enforce
6 compliance of participants in any court-supervised treatment program
7 administered by the Judiciary, whether structured as a treatment docket
8 or treatment court, and whether established by statute, court rule, or
9 judicial administrative order. Treatment Program Enforcement Officers
10 may be assigned to one or more such programs as determined by the
11 Presiding Judge of the Superior Court.

12 (b) Treatment Program Enforcement Officers may include a Chief and one
13 or more Deputies.

14 (c) Treatment Program Enforcement Officers shall have the authority and
15 responsibility to:

16 (1) Create, maintain, and secure a complete record of each participant
17 placed in a court-supervised treatment program.

18 (2) Instruct a participant as to the terms, conditions, and restrictions
19 specified by the court-supervised treatment program.

20 (3) Keep informed of all terms, conditions, and restrictions specified by
21 the court-supervised treatment program.

- 1 (4) Investigate, exercise general supervision over, and monitor
2 compliance of participants, which shall include, among other things,
3 the authority to visit a participant at home, employment site, or
4 anywhere else specified by the court-supervised treatment program,
5 to conduct drug tests of participants, and to take any items prohibited
6 by the conditions of supervision that are observed in plain view.
- 7 (5) Keep records of work performed and report on information
8 concerning a participant's conduct and compliance with a court-
9 supervised treatment program.
- 10 (6) Use all suitable methods not inconsistent with the court-supervised
11 treatment program, to aid and encourage a participant to effect
12 improvements in conduct.
- 13 (7) Serve warrants of arrest, make arrests, and bring participants before
14 the court-supervised treatment program authority when he or she
15 believes that cause for formal sanctions or termination exists.
- 16 (8) Carry a firearm in the performance of official duties.
- 17 (9) Perform any other duty, or have such powers as are necessary to
18 implement the provisions of this Article, as deemed appropriate by
19 the court-supervised treatment program.
- 20 (d) Treatment Program Enforcement Officers shall meet minimum
21 standards of professional experience, education, physical and mental

1 fitness, and integrity as established by the Judicial Council. No person
2 shall be employed as a Treatment Program Enforcement Officer who:
3 (1) Has been convicted of a felony or any crime involving moral
4 turpitude;
5 (2) Fails to pass a criminal background check and clearance process as
6 determined by the Judiciary;
7 (3) Fails to meet training and certification requirements, including
8 firearms training if authorized to carry a weapon; or
9 (4) Does not meet any additional standards established by the Judiciary
10 for law enforcement personnel responsible for supervising or
11 monitoring court-supervised treatment program participants.
12 (e) As used in this Section, “court-supervised treatment program” means
13 any judicially administered program that facilitates access to
14 rehabilitative services for eligible individuals as an alternative to
15 traditional criminal prosecution, sentencing, or incarceration. Court-
16 supervised treatment programs include Drug Court, the Mental Health
17 Court Docket, and any future Judiciary-administered program
18 addressing behavioral health conditions, substance use disorders, or
19 other underlying factors contributing to criminal conduct.”

1 **Section 3. Amendment.** Subsection (u) of Section 8282, Chapter 6, Part 2,
2 Division 8, Title 1 of the Commonwealth Code is hereby amended to read as
3 follows:

4 **“§ 8282. Law Enforcement Officers.**

5 For purposes of this chapter, law enforcement officers shall include the
6 following:

7 [. . .]

8 (u) ~~Community supervision officers and compliance officers~~ Treatment
9 Program Enforcement Officers employed by the Commonwealth
10 Judiciary.”

11 **Section 4. Amendment.** Section 1434 of Article 3, Chapter 4, Part 1,
12 Division 1, Title 6 of the Commonwealth Code is hereby amended to read as
13 follows:

14 **“§ 1434. Resisting Arrest.**

15 (a) A person who willfully resists, delays, or obstructs any law enforcement
16 officer, in the discharge, or attempt to discharge, any duty of his or her
17 office commits the offense of resisting arrest.

18 (b) “Law enforcement officer” includes any police officer of the
19 Department of Public Safety, corrections officer of the Department of
20 Corrections, any fire prevention officer or fire inspector and arson
21 investigator of the Department of Fire and Emergency Medical

1 Services, or any probation officer of the Office of the Adult Probation
2 Supervision, any officer of the Division of Youth Services Juvenile
3 Probation Unit, the chief marshal and deputy marshals of the Marshal
4 Service Division, any parole officer of the Board of Parole, any
5 conservation officer of the Department of Natural Resources, any
6 customs officer of the Department of Finance, the chief investigator
7 and investigators of the Office of the Attorney General, the
8 investigators of the Office of the Public Auditor, ~~any community~~
9 ~~supervision officer and compliance officer~~ any Treatment Program
10 Enforcement Officer of the Judicial branch, or any other law
11 enforcement officer of the Commonwealth.

12 (c) A person convicted of resisting arrest may be punished by not more
13 than one year imprisonment or not more than \$1,000 fine or both.”

14 **Section 5. Amendment.** Subsection (y)(21) of Section 10101, Chapter 1,
15 Division 10, Title 6 of the Commonwealth Code is hereby amended to read as
16 follows:

17 **“§ 10101. Definitions.**

18 For purposes of this division:

19 [. . .]

20 (y) “Law Enforcement” means:

21 [. . .]

1 (21) ~~any community supervision officer and compliance officer~~ any
2 Treatment Program Enforcement Officer employed by the
3 Judicial Branch;

4 [. . .].”

5 **Section 6. Amendment.** Subsection (b) of Section 3207, Article 1, Chapter
6 2, Division 3, Title 1 of the Commonwealth Code is hereby amended to read as
7 follows:

8 **“§ 3207. Establishment of Drug Court.**

9 (a) There is hereby established within the Commonwealth Superior Court a
10 drug court which, upon appropriation by the Legislature, shall operate a
11 collaborative non-adversarial system to effect the rehabilitation and
12 recovery of drug offenders through continuous court monitoring,
13 regular drug testing, and holistic drug dependency treatment. The
14 Commonwealth Superior Court shall study the requirements for
15 establishing this drug court and shall, as soon as possible, but no later
16 than thirty days after the enactment of 1 CMC § 3207, report to the
17 Legislature the amount of funds necessary for the drug court's
18 operations.

19 ~~(b) Community supervision officers and compliance officers shall serve~~
20 ~~under the Drug Court and shall have the authority and responsibility to:~~

- 1 ~~(1) Create, maintain and secure a complete record of each participant~~
2 ~~placed in a treatment court program.~~
- 3 ~~(2) Instruct a participant as to the terms, conditions and restrictions~~
4 ~~specified by the treatment court program.~~
- 5 ~~(3) Keep informed of all terms, conditions and restrictions specified by~~
6 ~~treatment court.~~
- 7 ~~(4) Investigate, exercise general supervision over, and monitor~~
8 ~~compliance of participants which shall include, among other things,~~
9 ~~the authority to visit a participant at home, employment site, or~~
10 ~~anywhere else specified by the treatment court, to conduct drug~~
11 ~~tests of participants, or take any items prohibited by the conditions~~
12 ~~of supervision that are observed in plain view.~~
- 13 ~~(5) Keep records of work performed and report on information~~
14 ~~concerning a participant's conduct and compliance with a treatment~~
15 ~~court program.~~
- 16 ~~(6) Use all suitable methods, including the imposition of informal~~
17 ~~sanctions, not inconsistent with treatment court program, to aid and~~
18 ~~encourage a participant to effect improvements in conduct.~~
- 19 ~~(7) Serve warrants of arrest, make arrests and bring participants before~~
20 ~~the treatment court when he or she believes that cause for formal~~
21 ~~sanctions or termination exists.~~

1 ~~(8) Carry a firearm in the performance of official duties.~~

2 ~~(9) Perform any other duty, or have such powers as are necessary to~~
3 ~~implement the provisions of this Article, as deemed appropriate by~~
4 ~~the treatment court.”~~

5 **Section 7. Transition of Currently Employed Community Supervision**
6 **and Compliance Officers.**

7 (a) The positions of Community Supervision Officer and Compliance
8 Officer under 1 CMC § 3207 shall cease to exist upon the completion of the
9 transition process described in this Section.

10 (b) Any individual currently employed as a Community Supervision Officer
11 and Compliance Officer under 1 CMC § 3207 shall be reclassified as a Treatment
12 Program Enforcement Officer, subject to meeting the minimum qualifications and
13 standards set forth in this Act and as further established by the Judicial Council.

14 (c) The Judiciary shall ensure a seamless transition of employment status,
15 without loss of salary, rank, accrued leave, or other employment benefits, for those
16 individuals who are reclassified pursuant to this Act.

17 (d) The Judicial Council shall adopt any policies or procedures necessary to
18 implement this transition, including, but not limited to, title changes, job
19 descriptions, re-training, and certification processes.

1 (e) During the transition period, Community Supervision Officers and
2 Compliance Officers shall continue to perform their duties in accordance with
3 existing law and judicial assignments, until their reclassification is completed.

4 **Section 8. Severability.** If any provisions of this Act or its application to
5 any person or circumstance is held invalid by a court of competent jurisdiction, the
6 remainder of the Act or its application to persons or circumstances other than those
7 to which it is held invalid shall not be affected.

8 **Section 9. Savings Clause.** Nothing in this Act, including any repealer,
9 shall be construed to affect any existing right acquired under prior law, contract,
10 rule, regulation, or order. Repealers in this Act shall not affect proceedings
11 instituted under prior law civil or criminal liability that existed on the date this Act
12 becomes effective.

13 **Section 10. Effective Date.** This Act shall take effect upon its approval by
14 the Governor, or it becoming law without such approval.

Prefiled: 7/11/2025

Date: _____

Introduced by: _____

Rep. John Paul P. Sablan

Reviewed for legal sufficiency by:

[Signature]
House Legal Counsel