

TWENTY-THIRD LEGISLATURE  
COMMONWEALTH OF THE NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE

**HOUSE OF REPRESENTATIVES**  
**COMMITTEE ON JUDICIARY AND GOVERNMENTAL**  
**OPERATIONS**

P.O. BOX 500586 SAIPAN, MP 96950

**MARISSA R. FLORES**  
CHAIRWOMAN

*Adopted - 11/17/2023*  
STANDING COMMITTEE REPORT NO. 23-58  
DATE: OCTOBER 19, 2023  
RE: H.B. 23-67

The Honorable Edmund S. Villagomez  
Speaker of the House of Representatives  
Twenty-Third Northern Marianas  
Commonwealth Legislature  
Capitol Hill  
Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations to which was referred:

H. B. No. 23-67:

“To amend the authority for compliance officers to staff treatment programs in the Judiciary.”

begs leave to report as follows:

**I. RECOMMENDATION:**

After considerable discussion, your Committee recommends that H. B. No. 23-67 be passed by the House in its current form.

HOUSE CLERK'S OFFICE  
RECEIVED BY *[Signature]*  
DATE *11/17/2023* TIME *2:03 pm*

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## II. ANALYSIS:

### A. Purpose:

The purpose of House Bill No. 23-67 is to amend the authority for compliance officers to staff treatment programs in the Judiciary.

### B. Committee Findings:

Your Committee finds that pursuant to CNMI Public Law 19-14, as amended, the Drug Court Program was established within the Commonwealth Superior Court as a collaborative non-adversarial system to effect the rehabilitation and recovery of drug offenders through continuous court monitoring, regular drug testing and holistic drug dependency treatment. Your Committee also finds that in order to carry out their day-to-day operations, the Drug Court has employed the necessary staff to carry out such functions, most especially their respective compliance officers. Cognizant of the possible dangers that come in dealing with drug offenders, your Committee finds that it would be highly appropriate to ensure that these compliance officers are given the proper training and statutory powers as law enforcement officers to conduct such business. In the event that non-compliant behaviors and other dangerous situations occur, these respective compliance officers will need to be equipped with the proper tools that are needed to not only protect themselves, but the other exposed individuals who take part in the treatment programs.

Your Committee also finds that since the inception of the Drug Court Program, the NMI Judiciary has also implemented the Mental Health Court Program. Furthermore, the NMI Judiciary may implement other necessary programs and provide a new platform of treatments to the respective citizens of our Commonwealth. Cognizant of such new and evolving programs that may be established in the near future, your Committee finds that there will also be probable dangers associated in establishing such programs. Your Committee finds that it would be of utmost importance to ensure that these programs are staffed with highly capable compliance officers who possess the proper statutory powers and trainings of law enforcement officers. The overall wellbeing of the Commonwealth is heavily reliant on these existing and forthcoming programs that are necessary to treat struggling individuals and prepare them become positive contributors to our society and better immerse themselves into our communities. Your Committee is committed to support treatment programs and provide opportunities for struggling individuals who wish to better themselves.

Therefore, your Committee agrees with the intent and purpose of House Bill No. 23-67 and recommends its passage in its current form.

C. Public Comments:

The Committee received comments from the following:

- Honorable Alexandro C. Castro, Chief Justice, NMI Judiciary and Honorable Robert C. Naraja, Presiding Judge, NMI Judiciary (Written)

The Chief Justice and the Presiding Judge support the proposed legislation.

- Honorable Edward M. Manibusan, Attorney General, Office of the Attorney General (Written)

The Attorney General finds the proposed legislation to be legally sufficient.

D. Legislative History:

House Bill No. 23-67 was introduced by Representative John Paul P. Sablan on August 10, 2023 to the full body of the House and was referred to the House Standing Committee on Judiciary and Governmental Operations for disposition.

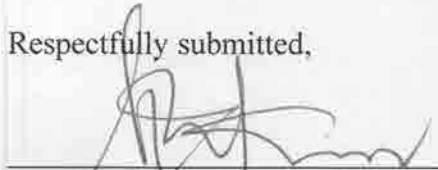
E. Cost Benefit:


The enactment of House Bill No. 23-67 will result in additional costs to the CNMI government for the intent of the proposed legislation will result in the need for additional enforcement, trainings, and resources that will be used to carry out the intent of this Act. However, the benefits of ensuring that treatment programs under the NMI Judiciary are properly staffed heavily outweigh the costs.

**III. CONCLUSION:**

The Committee is in accord with the intent and purpose of H. B. NO. 23-67, and recommends its passage in its current form.

Respectfully submitted,

  
\_\_\_\_\_  
Rep. Marissa R. Flores, Chairwoman

  
\_\_\_\_\_  
Rep. Vincent R.S. Aldan, Member

  
\_\_\_\_\_  
Rep. Joel C. Camacho, Vice Chair

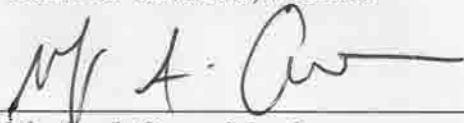
  
\_\_\_\_\_  
Rep. Blas Jonathan "BJ" T. Attao, Member



Rep. Vicente C. Camacho, Member



Rep. Manny G.T. Castro, Member



Rep. Malcolm J. Omar, Member

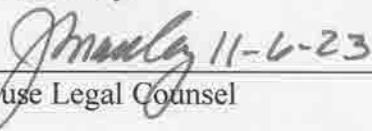


Rep. Edwin K. Propst, Member



Rep. John Paul P. Sablan, Member

Reviewed by:



11-6-23

House Legal Counsel

Attachment:

- Letter dated August 18, 2023 from the Chief Justice and Presiding Officer of the CNMI Judiciary; and
- Letter dated August 30, 2023 from the Attorney General.



**Supreme Court** – THE JUDICIARY • COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
Guma' Hustisia / Iimwal Aweewe / House of Justice • P.O. Box 502165 • Saipan, MP 96950  
Telephone: (670) 236-9800 Fax: (670) 236-9702 E-mail: [accastro@nmijudiciary.gov](mailto:accastro@nmijudiciary.gov)

**Alexandro C. Castro**  
CHIEF JUSTICE

August 18, 2023

Honorable Marissa R. Flores  
Chairwoman  
Committee on Judiciary and Governmental Operations  
Twenty-Third Northern Marianas Commonwealth Legislature  
P.O. Box 500586  
Saipan, MP 96950  
[Staff.floresm@gmail.com](mailto:Staff.floresm@gmail.com)

**Re: Judiciary Comments on House Bill No. 23-67**

Dear Representative Flores:

We write in response to your August 15, 2023 letter soliciting comments from the Judiciary on House Bill No. 23-67. We would like to thank you for allowing the Judiciary to comment on this proposed legislation.

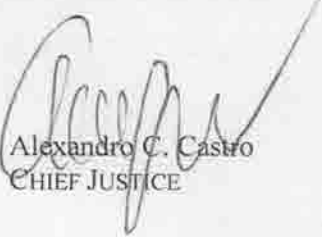
Keeping with past practice, the Judiciary will submit comments or recommendations on proposed legislation that directly affects the functions and operations of the third branch of government. Here, the Judiciary fully supports the passage of House Bill No. 23-67 which will amend the authority for compliance officers to staff treatment programs in the Judiciary.

Through the passage of House Bill No. 23-67, the Judiciary will be better equipped to serve participants in its existing treatment court programs, as well as future programs. Due to the success of the Drug Court program and Mental Health Court Docket, the Judiciary foresees the expansion of additional treatment courts that continue to focus on alternative, evidence-based practices. Because of the nature of treatment court programs, there is a strong need for close supervision of participants. Close supervision supports a treatment court participant's progress by providing early intervention and deterring non-compliant behavior. In the course of delivering these services, compliance officers sometimes encounter potentially dangerous situations. The establishment of statutory authority for compliance officers to serve as law enforcement officers will significantly enhance the effectiveness of these programs by providing the authority to carry firearms and make arrests as required by law. For these reasons, the Judiciary supports the passage of House Bill No. 23-67.

Honorable Marissa R. Flores  
August 18, 2023  
Page 2 of 2

We look forward to continuing to work with your office on matters affecting the Judiciary and the law in this 23<sup>rd</sup> Commonwealth Legislature.

*Si Yu'us Ma'ase and Olomwaay,*



Alexandro C. Castro  
CHIEF JUSTICE



Roberto C. Naraja  
PRESIDING JUDGE

cc: Associate Justice John A. Manglona  
Associate Justice Perry B. Inos  
Associate Judge Kenneth L. Govendo  
Associate Judge Joseph N. Camacho  
Associate Judge Wesley M. Bogdan  
Associate Judge Teresa K. Kim-Tenorio





Commonwealth of the Northern Mariana Islands  
**Office of the Attorney General**

2<sup>nd</sup> Floor Hon. Juan A. Sablan Memorial Bldg.  
Caller Box 10007, Capitol Hill  
Saipan, MP 96950

**EDWARD MANIBUSAN**  
Attorney General

**LILLIAN A. TENORIO**  
Deputy Attorney General

**VIA EMAIL:** [rep.floresm@cnmileg.net](mailto:rep.floresm@cnmileg.net)

August 30, 2023

OAGHOR: 2023-60  
LSR No. 23-395

Hon. Marissa Flores  
Chairperson, House Committee on Judicial  
and Governmental Operations  
House of Representatives  
23rd Northern Mariana Islands Legislature  
Saipan, MP 96950

**Re: House Bill No. 23-67: "To amend the authority for compliance officers to staff treatment programs in the Judiciary."**

Dear Chairwoman Flores:

Thank you for requesting the comments of the Office of the Attorney General on House Bill 23-67. The bill proposes to allow professionally trained probation and compliance officers to serve in treatment courts and to receive firearm training and certification in line with those adopted by the Judicial Council.

The bill as written is constitutionally sufficient.

I am available to discuss further the issues raised in HB 23-67. Please feel free to contact me at (670) 237-7500 or email at [attorney\\_general@cnmioag.org](mailto:attorney_general@cnmioag.org)

Sincerely,

**EDWARD MANIBUSAN**  
Attorney General

cc: All Members, House of Representatives

**Civil Division**  
Telephone: (670) 237-7500  
Facsimile: (670) 664-2349

**Criminal Division**  
Telephone: (670) 237-7600  
Facsimile: (670) 234-7016

**Attorney General's Investigation Division**  
Telephone: (670) 237-7628  
Facsimile: (670) 234-7016

**Victim Witness Advocacy Unit**  
Telephone: (670) 237-7602  
Facsimile: (670) 664-2349

TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

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Regular Session, 2023

H. B. 23- **67**

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A BILL FOR AN ACT

To amend the authority for compliance officers to staff  
treatment programs in the Judiciary.

BE IT ENACTED BY THE 23<sup>RD</sup> NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:

1        **Section 1. Findings and Purpose.** In 2018, the Legislature authorized the  
2        addition of a drug court program in the Judiciary and established court personnel  
3        (compliance officers) to serve as law enforcement within the drug court program.  
4        See PL 20-54. Since then, the Judiciary has added a mental health court program.  
5        Other specialty treatment programs may follow, including a veterans court  
6        program. These evolving programs recognize diversion and treatment as  
7        alternatives to conviction and punishment. This bill establishes the authority for  
8        professionally trained probation and compliance officers to serve in treatment  
9        courts as law enforcement officers. This bill also identifies training and firearm  
10       certification standards to be adopted by the Judicial Council.

11       **Section 2. Amendment.** 1 CMC § 3207 is amended to read as follows:

12       “§ 3207. Establishment of Drug Court.



1 (a) [no changes]

2 (b) Compliance officers shall qualify for employment under such  
 3 minimum standards of professional experience, physical and mental  
 4 health, and education as established by the Judicial Council. No  
 5 individual who has been convicted of a felony or other crime of moral  
 6 turpitude may serve as a compliance officer. Compliance and  
 7 probation officers shall undergo firearms training and periodic  
 8 certification through the Marshall Services Division to the same  
 9 extent as Police Officers of the Department of Public Safety. The  
 10 Judicial Council shall establish standards for such training and  
 11 certification consistent with the Department of Public Safety's  
 12 standards.

13 ~~(bc) Community supervision~~ Probation officers and compliance officers  
 14 shall serve under the treatment court programs within the Judiciary  
 15 ~~Drug Court~~ and shall have the authority and responsibility to:

- 16 (1) Create, maintain and secure a complete record of each participant  
 17 placed in a treatment court program.  
 18 (2) Instruct a participant as to the terms, conditions and restrictions  
 19 specified by the treatment court program.  
 20 (3) Keep informed of all terms, conditions and restrictions specified  
 21 by the treatment court program.

(4) Investigate, exercise general supervision over, and monitor compliance of participants which shall include, among other things, the authority to visit a participant at home, employment site, or anywhere else specified by the treatment court program, to conduct drug tests of participants, or take any items prohibited by the conditions of supervision that are observed in plain view.

(5) Keep records of work performed and report on information concerning a participant's conduct and compliance with a treatment court program.

(6) Use all suitable methods, including the imposition of informal sanctions, not inconsistent with a treatment court program, to aid and encourage a participant to effect improvements in conduct.

(7) Serve warrants of arrest, make arrests and bring participants before the treatment court when he or she believes that cause for formal sanctions or termination exists.

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

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

**Section 3. Severability.** If any provisions of this Act or the application of any such provision to any person or circumstance should be held invalid by a court

1 of competent jurisdiction, the remainder of this Act or the application of its  
2 provisions to persons or circumstances other than those to which it is held invalid  
3 shall not be affected thereby.

4 **Section 4. Savings Clause.** This Act and any repealer contained herein  
5 shall not be construed as affecting any existing right acquired under contract or  
6 acquired under statutes repealed or under any rule, regulation, or order adopted  
7 under the statutes. Repealers contained in this Act shall not affect any proceeding  
8 instituted under or pursuant to prior law. The enactment of the Act shall not have  
9 the effect of terminating, or in any way modifying, any liability, civil or criminal,  
10 which shall already be in existence on the date this Act becomes effective.

11 **Section 5. Effective Date.** This Act shall take effect upon its approval by  
12 the Governor, or its becoming law without such approval.

Prefiled: 8/8/2023

Date: \_\_\_\_\_

Introduced by: \_\_\_\_\_

Rep. John Paul P. Sablan

Reviewed for Legal Sufficiency by:

Shirley 8-8-23  
House Legal Counsel