

TITLE 1: GOVERNMENT
DIVISION 8: PUBLIC EMPLOYMENT

§ 8601. Short Title.

This act shall be known as the “The Law Enforcement Mandatory Drug Testing Act of 2013.”

Source: PL 18-47 § 1 (Apr. 24, 2014).

Commission Comment: PL 18-47 (Apr. 24, 2014) contained, in addition to savings and severability clauses, the following Findings section:

Section 2. Findings. The Legislature finds that there has been several incidents involving police officers, firefighters, corrections officers, customs officers and other law enforcement or employees of regulatory agencies who have either been convicted or charged with committing illegal drug use or trafficking related offenses in the CNMI. Moreover, several of these convicted law enforcement officers were directly assigned to the CNMI Interagency Financial Crimes and Drug Enforcement Task Force or the CNMI Narcotics Activity Resolution Coalition; the very task forces entrusted to focus on the enforcement of financial crimes and the enforcement of anti-drug laws of the Commonwealth.

Furthermore, a significant amount of law enforcement officers in the Commonwealth are authorized to carry firearms which makes it even more increasingly dangerous for an armed law enforcement officer to be under the influence of a controlled substance or be engaged in drug trafficking related activities. The Commissioner of the CNMI Department of Public Safety, who represents the largest law enforcement agency in the Commonwealth, has publicly supported a “zero tolerance” mandatory drug testing policy for all police officers and firefighters with the consequence of dismissal from employment upon the discovery of a positive testing of a law enforcement officer on the use of a controlled substance.

Therefore, the Legislature finds it necessary to amend the existing drug testing laws of the Commonwealth.