



THE SENATE  
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
PUBLIC LAW NO. 14-47  
FIRST REGULAR SESSION, 2004 SENATE BILL NO. 14-33, SD1

---

---

AN ACT

To protect confidential information and communications made to a "CRIME STOPPERS" organization; and for other purposes.

**BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

**Section 1. Title.** This Act shall be called the "Crime Stoppers" Protected Information Act.

**Section 2. Findings.** The Legislature finds that the NMI Crime Stoppers Program has creatively found ways to continue its main objective to assist the CNMI Police Department solve crimes. As part of its effort to prevent negative impact on the organization caused by CNMI budgetary problems, the organization has considered launching a volunteer program, as well as entering into a partnership between the NMI Crime Stoppers and other groups in our community. Other ideas of the organization include drawing on resources from the private sector of our islands. However, the need to strengthen current laws in protecting confidential information of the NMI Crime Stoppers Program is imperative in order to successfully implement its innovative ideas. Therefore, it is the intent of the Legislature,

through this Act, to provide the necessary legislation in order to assist the NMI Crime Stoppers Program in its efforts in dealing with financial cuts, without compromising its services to the people of the CNMI.

**Section 3. Definitions.** As used in this Act:

(a) **“Crime Stoppers organization”** means the private, nonprofit organization that accepts and expends donations for rewards to persons who report to the organization information concerning criminal activity and that forwards the information to the appropriate law enforcement agency;

(b) **“Protected information”** means the identity of the person reporting criminal activity to a Crime Stoppers organization.

**Section 4. Nondisclosure of Privileged Communication and Protected Information.** Except as provided in section 5 of this act, no person, police “Crime Stoppers” coordinator or his staff, or member of a Crime Stoppers organization’s board of directors, Crime Stoppers volunteer, or any other person or entity who has protected information or knowledge of such information shall be required to disclose it, by way of testimony or any other means. Nor shall such persons be required to produce, under subpoena, any records, documentary evidence, opinions or decisions relating to such protected information (a) in connection with any criminal case, criminal proceeding, civil case, civil proceeding or any administrative hearing of whatever nature, or (b) by way of any discovery procedure.

**Section 5. Inspection of Records.** Any person arrested or charged with a criminal offense may petition the court for an in camera inspection of the records or reports

concerning such person made to a Crime Stoppers organization. The petition shall allege facts showing that such records would (a) provide evidence favorable to the accused, (b) be relative to the issue of guilt, and (c) cause a deprivation of a constitutional right if such communication or information is not disclosed. If the court determines that, based on such criteria, the person is entitled to all or any part of such records, it may order production and disclosure as is necessary, while assuring to the extent possible, the nondisclosure of protected information.

**Section 6. Penalty for Disclosure.** Disclosure of protected information in violation of this section shall be punished by imprisonment for not less than one year but not more than two years or by a fine of not more than \$500, or both. The Attorney General shall, to the extent possible, quash any subpoenas or other discovery efforts to obtain any protected information as defined in subsection 3 above and shall to the extent authorized by law take whatever action is necessary to assure its nondisclosure.

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

**Section 8. Savings Clause.** This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not have the effect of terminating, or in any way modifying,

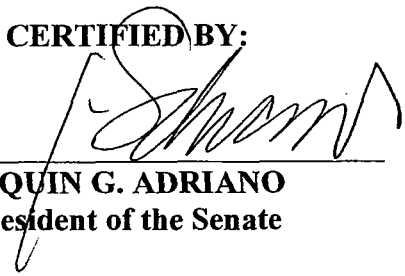
---

---

any liability, civil or criminal, which shall already be in existence on the date this Act becomes effective.

**Section 9. Effective Date.** This Act shall take effect upon its approval by the Governor, or it becoming law without such approval.

**CERTIFIED BY:**



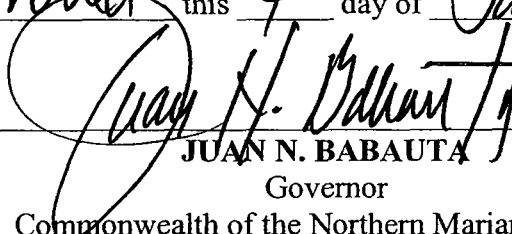
**JOAQUIN G. ADRIANO**  
President of the Senate

**ATTESTED BY:**



**JOSEPH M. MENDIOLA**  
Senate Legislative Secretary

Approved this 4<sup>th</sup> day of January, 2005



**JUAN N. BABAUTA**  
Governor  
Commonwealth of the Northern Mariana Islands