

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1: CRIMES AGAINST THE PERSON

§ 1454. Duty to Report.

(a) Any physician or other hospital personnel engaged in the admission, examination, care or treatment of persons, or any medical examiner or coroner, dentist, physical therapist, religious healer, social worker, peace officer or law enforcement official who comes into contact in his or her professional capacity with a member of the “man-amko” and has knowledge or reason to believe that such person has been a subject or victim of mental cruelty or physical abuse by a person having custody or responsibility of the welfare of a member of the “man-amko” shall report that knowledge immediately to the Commonwealth Department of Public Safety. The report shall contain a statement of the time, date, circumstances, and other information material and relevant to the nature of the case, showing a reasonable belief that a physical abuse or mental cruelty occurred to a member of the “man-amko.”

(b) All such reports communicated, transmitted, or made to the Commonwealth Department of Public Safety shall be privileged and confidential and not be disclosed to the public until a criminal information has been filed with the Superior Court of the Commonwealth, except to persons identified under.

(c) The Commonwealth Department of Public Safety shall report and forward to the Commonwealth office of the Attorney General reported cases of “man-amko” mental cruelty and/or physical abuse. This reporting and forwarding shall be made within 24 hours of having knowledge or information of alleged “man-amko” physical abuse or mental cruelty.

(d) In the event that the suspected perpetrator is an employee or agent of a government agency or activity which is customarily represented or advised by the office of the Attorney General, the Attorney General shall not be involved in the report or investigation or prosecution of the case or the proceedings for wardship. In such case the office of the Public Defender shall be appointed as special prosecutor.

Source: PL 9-21, § 6, modified.

Commission Comment: In the first sentence of subsection (d), the Commission substituted “perpetrator” in place of “perpetuator,” correcting a typographical error.

With respect to the references to the “Commonwealth Department of Public Safety,” see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.