

(H. B. 576)

(No. 97)

(Approved August 26, 2005)

AN ACT

To eliminate subsection (g) of Section 6 and amend subsection (c) of Section 47 of Act No. 53 of June 10, 1996, as amended, known as the “Puerto Rico Police Act”.

STATEMENT OF MOTIVES

Without a doubt, the crime wave that assails our Island continues to be one of the greatest social problems causing concern among our citizens. This social problem, which arises from various causes, has disrupted the lifestyle of all Puerto Ricans, which has forced the Government of Puerto Rico to provide our law enforcement officers with greater resources for the fight against this evil. One of the fundamental tools for decreasing the crime problem is the education of police officers. In the fight against crime, the development of adequate educational standards has a dual purpose. On one hand, it prepares our agents for the task of preventing criminal activity and enhances their awareness in the handling of interventions that are conducted as part of their public duties. On the other hand, it promotes the academic and professional growth of our law enforcement agents.

The promotion of education among law enforcement agents is fundamental in our fight against crime and for the protection of the civil rights of all Puerto Ricans. A Puerto Rico Police force endowed with more knowledge, incentives and tools results in police agents with greater skills and capabilities for handling the crime problem, including citizen orientation on the prevention of crime. Moreover, strengthening education among our police officers prevents

interventions that cause violations of the civil and constitutional rights of our citizenry and therefore, the disbursement of public funds to defray sentencing expenses due to civil rights violations.

This Legislature has a commitment toward the People of Puerto Rico to approve legislation geared to furnishing our police officers with the greater knowledge, skills and tools to fight against crime. For such purposes, in our “Contrato con el Pueblo”, we commit ourselves to restore the educational requirements that were compulsory for police officers established by law in 1996, but which were eliminated by the Legislature in the year 2003.

Section 47 of Act No. 53 of June 10, 1996, as amended, provided that in order to hold a position as a Puerto Rico Police officer, it was necessary to have an Associate Degree from the University College of Criminal Justice or from a college or university certified or accredited by the Council on Higher Education of Puerto Rico. The past Legislature, through Act No. 208 of August 28, 2003, eliminated this requirement. Act No. 208, *supra*, authorized the Police Superintendent to conduct “special recruitments,” allowing those police officers who had completed a minimum of twelve (12) to fourteen (14) weeks curriculum to graduate from the Police Academy. This Legislature has the obligation to restore those public policies that benefit the People of Puerto Rico and restore peace to our citizens. Furthermore, we are committed to providing all the necessary resources to the members of the Puerto Rico Police to reinforce and acknowledge their untiring work for the benefit of all Puerto Ricans. For these purposes, by means of this Act, we hereby restore the requirement set forth in Act No. 53, *supra*, so that the obtainment of an Associate Degree from an accredited University shall be required in order to hold a position as a law enforcement officer of the Puerto Rico Police.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Subsection (g) is hereby eliminated from Section 6 of Act No. 53 of June 10, 1996, as amended, to read as follows:

“Section 6.- Superintendent; Special Powers.-

(a) The Superintendent may promote members of the Force to the immediately next highest rank, up to the rank of Captain, in the following cases and subject to the provisions prescribed below:

(1) ...

(f) ...”

Section 2.-Subsection (c) of Section 47 of Act No. 53 of June 10, 1996, as amended, is hereby amended to read as follows:

“Section 47- Transitory Provisions-

(A) ...

(B) ...

(C) It is hereby provided that as of January 1, 1977, in order to be eligible for the ranks of Lieutenant Colonel and Colonel, it shall be an indispensable requirement for the candidate to have taken and approved not less than sixty-four (64) university credit in a college or university accredited by the Puerto Rico Council on Higher Education. As of January 1, 1979, in order to be eligible for the ranks of Lieutenant Colonel and Colonel, it shall be a requirement for the candidate to hold a Bachelor's Degree granted by a college or university certified or accredited by the Council on Higher Education of Puerto Rico. The university studies required and established herein shall not apply to those members of the Force who joined it prior to December 31, 1994.

It is hereby provided that, as of January 1, 2000, in order to be

eligible for the ranks of Colonel and Lieutenant Colonel, it shall be a requirement for the candidate to hold a Master's Degree or its equivalent granted by a college or university accredited by the Council on Higher Education of Puerto Rico; for the ranks of Commander, Inspector and Capitan, the candidate must hold a Bachelor's Degree granted by a college or university accredited by the Council on Higher Education of Puerto Rico; for the ranks of First Lieutenant, Second Lieutenant, Sergeant and Police Officer, the candidate must hold an Associate Degree conferred by the University College of Criminal Justice or by a college or university accredited by the Council on Higher Education of Puerto Rico. The university studies required and established herein shall apply to those members of the Force who joined it prior to December 31, 1994.

Those candidates recruited according to the provisions of Act No. 208 of August 28, 2003, must complete an associate degree in the University College of Criminal Justice or a public or private university accredited by the Council on Higher Education of Puerto Rico within six (6) years, as of the candidate's completion of the special curriculum. Cadets who do not comply with the requirements established herein within the probationary period shall not become Puerto Rico Police officers.”

Section 3.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 97 (H.B. 576) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to eliminate subsection (g) of Section 6 and amend subsection (c) of Section 47 of Act No. 53 of June 10, 1996, as amended, known as the “Puerto Rico Police Act”,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 3rd of March of 2006.

Francisco J. Domenech
Director