

2023 HOUSE JUDICIARY

HB 1415

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1415
1/30/2023

A BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

Chairman Klemin opened the hearing on HB 1415 at 10:00 AM.

Members present: Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- Local law enforcement funding
- Increased workload
- FTE's and costs
- Overwhelmed police force

Rep. Kiefert: Introduced the bill. Testimony #17795, #18125

Scott Edinger, Chief of Police, Jamestown, ND Testimony # 17796

Capt. LeRoy Gross, Jamestown Police Department: Testimony #17800

Becky Keller, Finance Director, Office of Attorney General: No written testimony.

The hearing adjourned at 10:41 AM.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1415
1/31/2023

A BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

Chairman Klemin opened the meeting on HB 1415 at 9:41 AM. Members present: Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roes Jones, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- Amendment
- Restricted population concerns
- Modified amendment

Chairman Klemin: Introduced an amendment. #27033

Rep. Karls moved the amendment 23.0976.01001;
Seconded Rep. VanWinkle

Representatives	Vote
Representative Lawrence R. Klemin	N
Representative Karen Karls	Y
Representative Landon Bahl	N
Representative Cole Christensen	Y
Representative Claire Cory	N
Representative Donna Henderson	Y
Representative SuAnn Olson	Y
Representative Nico Rios	N
Representative Shannon Roers Jones	N
Representative Bernie Satrom	Y
Representative Mary Schneider	N
Representative Lori VanWinkle	Y
Representative Steve Vetter	N

Roll Call Vote: 7 Yes 6 No 0 Absent

Rep. Vetter moved to further amend adding on page 1, line 6 replace \$980,000 with \$480,000;

Seconded by Rep. Satrom

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	Y
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Roll Call Vote: 13 Yes 0 No 0 Absent

Rep. Henderson moved a Do Pass as Amended and Rerefer to Appropriations.
Seconded by Rep. Schneider

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	Y
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Roll Call Vote: 13 Yes 0 No 0 Absent Carrier: Rep. Christensen

Meeting closed at 10:00 AM.

Delores Shimek, Committee Clerk

24 1-31-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1415

Page 1, line 6, replace "\$980,000," with "\$480,000,"

Page 1, line 8, after the first "a" insert "southeastern North Dakota"

Page 1, line 8, after "community" insert "with a population of between fourteen thousand and seventeen thousand residents"

Page 1, line 10, after the period insert "Eligible expenditures under the program include costs related to salaries and overtime, training, and purchases of equipment for existing and newly hired law enforcement staff. The attorney general shall establish guidelines to provide grants under the program."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1415: Judiciary Committee (Rep. Klemin, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1415 was placed on the Sixth order on the calendar.

Page 1, line 6, replace "\$980,000," with "\$480,000,"

Page 1, line 8, after the first "a" insert "southeastern North Dakota"

Page 1, line 8, after "community" insert "with a population of between fourteen thousand and seventeen thousand residents"

Page 1, line 10, after the period insert "Eligible expenditures under the program include costs related to salaries and overtime, training, and purchases of equipment for existing and newly hired law enforcement staff. The attorney general shall establish guidelines to provide grants under the program."

Renumber accordingly

2023 HOUSE APPROPRIATIONS

HB 1415

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

HB 1415
2/15/2023

BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

4:17 PM Chairman Vigesaa called the meeting to order and roll call was taken-

All Members present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Discussion Topics:

- Homeless People from State Hospital
- Grant Program

Representative Klemin- Introduces the bill.

Captain Leroy Gross, Jamestown Police Department- Speaks to committee about bill.

4:43 PM Chairman Vigesaa- Closes the meeting for HB 1415

Risa Berube, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

HB 1415
2/16/2023

BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

4:18 PM Chairman Vigesaa- Called the meeting to order and roll call was taken-

Members present; Chairman Vigesaa, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative J. Nelson, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Members not Present- Representative O'Brien, Representative Kempenich and Representative Nathe

Discussion Topics:

- Task Force to Help Officers

Representative J. Nelson- Explains some of his findings about the bill.

Representative J. Nelson Move for a Do Not Pass

Representative Monson Seconds the motion.

Committee discussion Roll call vote

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	A
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	A

Representative Jon O. Nelson	Y
Representative Emily O'Brien	A
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

Motion Carries 19-1-3 Representative J. Nelson will carry the bill.

4:27 PM Chairman Vigesaa- Closed the meeting for HB 1415

Risa Berube, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1415, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman)
recommends **DO NOT PASS** (19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING).
Engrossed HB 1415 was placed on the Eleventh order on the calendar.

2023 SENATE WORKFORCE DEVELOPMENT

HB 1415

2023 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1415
3/16/2023

Relating to an appropriation to the attorney general for a law enforcement staffing grant program.

9:01 AM **Chairman Wobbema** called the hearing to order. **Senators Wobbema, Axtman, Elkin, Larson, Sickler, Piepkorn** are present.

Discussion Topics:

- Task force
- High risk sex offenders
- Re-offending
- Safety concern

9:02 AM **Representative Keifert** introduced HB 1415 and testified in favor. #25532.

9:09 AM **LeRoy Gross, Captain, Jamestown Police Department**, testified in favor. #25533.

Senator Wobbema adjourned the hearing.

Senator Wobbema reconvened.

9:28 AM **Becky Keller, Finance Manager, Office of Attorney General**, provided information testified in favor verbally.

9:28 AM **Chairman Wobbema** closed the hearing.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1415
3/17/2023

Relating to an appropriation to the attorney general for a law enforcement staffing grant program.
--

11:42 AM **Chairman Wobbema** called the meeting to order. **Senators Wobbema, Axtman, Elkin, Larson, Sickler, Piepkorn** were present.

Discussion Topics:

- Sex offenders
- Funding
- Study
- Recidivism

Senator Wobbema reviewed the progress of the bill, provided information, and called for discussion.

Senator Larson provided information.

Senator Axtman provided information.

11:51 AM **Chairman Wobbema** closed the meeting.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1415
3/17/2023

Relating to an appropriation to the attorney general for a law enforcement staffing grant program.
--

1:34 PM **Chairman Wobbema** called the meeting to order. **Senators Wobbema, Axtman, Elkin, Larson, Sickler, Piepkorn** were present.

Discussion Topics:

- Amendment
- Study

Senator Wobbema calls for discussion.

Lindsey Pouliot distributed the amendment #25728.

Senator Wobbema moved to adopt amendment LC 23.0976.02001.

Senator Larson seconded the motion.

Roll call vote.

Senators	Vote
Senator Michael A. Wobbema	Y
Senator Michelle Axtman	Y
Senator Jay Elkin	Y
Senator Diane Larson	Y
Senator Merrill Piepkorn	Y
Senator Jonathan Sickler	Y

Motion passed 6-0-0.

1:55 PM **Chairman Wobbema** closed the meeting.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1415
3/23/2023

Relating to an appropriation to the attorney general for a law enforcement staffing grant program.

3:01 PM **Chairman Wobbema** called the meeting to order. **Senators Wobbema, Axtman, Elkin, Larson, Sickler, Piepkorn** are present.

Discussion Topics:

- Staffing
- Amendment
- Committee action

Senator Wobbema calls for discussion.

Lindsey Pouliot, Legislative Intern, Legislative Council provided amendment #26495

Senator D. Larson moved DO PASS as Amended. LC 23.0976.02001.
Senator Elkin seconded the motion.

Roll call vote.

Senators	Vote
Senator Michael A. Wobbema	Y
Senator Michelle Axtman	Y
Senator Jay Elkin	Y
Senator Diane Larson	Y
Senator Merrill Piepkorn	N
Senator Jonathan Sickler	Y

Motion passed 5-1-0.

Senator D. Larson will carry HB 1415

3:04 PM **Chairman Wobbema** closed the meeting.

Patricia Lahr, Committee Clerk

JA
3-23-23

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1415

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding the equipment and staffing needs of law enforcement.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LAW ENFORCEMENT STAFFING AND EQUIPMENT. During the 2023-24 interim, the legislative management shall consider studying the equipment and staffing needs of law enforcement departments in the state. The study must include assessing the:

1. Specific and unique challenges faced by certain regions or communities, such as a large population of high-risk offenders or offenders under some form of supervision or monitoring program;
2. Types of technologies available to law enforcement for the purpose of supervising or monitoring offenders; and
3. Costs associated with purchase, implementation, and maintenance of those technologies available to law enforcement for supervising or monitoring offenders.

The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1415, as engrossed: Workforce Development Committee (Sen. Wobbema, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1415 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding the equipment and staffing needs of law enforcement.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LAW ENFORCEMENT STAFFING AND EQUIPMENT. During the 2023-24 interim, the legislative management shall consider studying the equipment and staffing needs of law enforcement departments in the state. The study must include assessing the:

1. Specific and unique challenges faced by certain regions or communities, such as a large population of high-risk offenders or offenders under some form of supervision or monitoring program;
2. Types of technologies available to law enforcement for the purpose of supervising or monitoring offenders; and
3. Costs associated with purchase, implementation, and maintenance of those technologies available to law enforcement for supervising or monitoring offenders.

The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

2023 CONFERENCE COMMITTEE

HB 1415

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1415
4/13/2023
Conference Committee

A BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

Rep. Vetter, Chairman opened the meeting on HB 1415 at 10:30 AM. Members present: Rep. Vetter, Chairman, Rep. S. Olson, Rep. Nelson; Senator Wobbema, Chairman, Senator Larson, Senator Piepkorn

Discussion Topics:

- Study
- Amendment

Committee Discussion.

Rep. Nelson: Testimony #27531

Rep. SuAnn Olson moved Senate recede from Senate Amendments and amend as follows to shall study; Seconded by Rep. Nelson

Roll call vote: 6 Yes 0 No 0 Absent; Motion carried

House Carrier: Rep. Vetter; Senator Carrier: Rep. Wobbema

The meeting closed at 11:03 AM

Delores Shimek, Committee Clerk

Reconsidered on 4/19/23.

April 13, 2023

AG
4-13-23
(1-1)

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1415

That the Senate recede from its amendments as printed on pages 1389 and 1390 of the House Journal and pages 1132 and 1133 of the Senate Journal and that Engrossed House Bill No. 1415 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding the equipment and staffing needs of law enforcement.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LAW ENFORCEMENT STAFFING AND EQUIPMENT. During the 2023-24 interim, the legislative management shall study the equipment and staffing needs of law enforcement departments in the state. The study must include assessing the:

1. Specific and unique challenges faced by certain regions or communities, such as a large population of high-risk offenders or offenders under some form of supervision or monitoring program;
2. Types of technologies available to law enforcement for the purpose of supervising or monitoring offenders; and
3. Costs associated with purchase, implementation, and maintenance of those technologies available to law enforcement for supervising or monitoring offenders.

The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

**2023 HOUSE CONFERENCE COMMITTEE
 ROLL CALL VOTES**

HB 1415 as engrossed

House Judiciary Committee

- Action Taken**
- HOUSE accede to Senate Amendments
 - HOUSE accede to Senate Amendments and further amend
 - SENATE recede from Senate amendments
 - SENATE recede from Senate amendments and amend as follows:
 Shall study.
 - Unable to agree, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep. S.Olson Seconded by: Rep. Nelson

Representatives	4/13		Yes	No	Senators	4/13		Yes	No
Rep. Vetter, Chairman	Y		Y		Senator Wobbema, Chairman	Y		Y	
Rep. S. Olson	Y		Y		Senator Larson	Y		Y	
Rep. Jon Nelson	Y		Y		Senator Piepkorn	Y		Y	
Total Rep. Vote			3	0	Total Senate Vote			3	0

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Rep. Vetter Senate Carrier Senator Wobbema

LC Number 23.0976 . 02004 of amendment

LC Number 23.0976 . 04000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment: Include "shall study".

REPORT OF CONFERENCE COMMITTEE

HB 1415, as engrossed: Your conference committee (Sens. Wobbema, Larson, Piepkorn and Reps. Vetter, S. Olson, Nelson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1389-1390, adopt amendments as follows, and place HB 1415 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1389 and 1390 of the House Journal and pages 1132 and 1133 of the Senate Journal and that Engrossed House Bill No. 1415 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study regarding the equipment and staffing needs of law enforcement.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LAW

ENFORCEMENT STAFFING AND EQUIPMENT. During the 2023-24 interim, the legislative management shall study the equipment and staffing needs of law enforcement departments in the state. The study must include assessing the:

1. Specific and unique challenges faced by certain regions or communities, such as a large population of high-risk offenders or offenders under some form of supervision or monitoring program;
2. Types of technologies available to law enforcement for the purpose of supervising or monitoring offenders; and
3. Costs associated with purchase, implementation, and maintenance of those technologies available to law enforcement for supervising or monitoring offenders.

The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

Engrossed HB 1415 was placed on the Seventh order of business on the calendar.

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1415
4/19/2023
Conference Committee

A BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

10:00 AM Chairman Vetter opened the meeting on HB 1415.

Members present: Rep. Vetter, Chairman, Rep. S. Olson, Rep. Bert Anderson; Senator Wobbema, Chairman, Senator Larson, Senator Piepkorn

Discussion Topics:

- Sexual offender data.
- Amendment

Rep. Vetter, Testimony #27703

Committee Discussion.

10:31 AM meeting adjourned.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1415
4/20/2023
Conference Committee

A BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

Rep. Vetter, Chairman opened the meeting on HB 1415 at 4:00 PM. Members present: Rep. Vetter, Chairman, Rep. S. Olson, Rep. Bert Anderson; Senator Wobbema, Chairman, Senator Larson, Senator Piepkorn

Discussion Topics:

- Sexual offender data.
- Jamestown
- Equipment
- Training
- BCI

Mr. Gross introduces Lt. Sid Mann

Lt. Sid Mann offers verbal testimony.

Casey Miller, Chief Agent for North Dakota BCI, Bismarck answers committee questions.

Mr. Gross offers verbal testimony.

Additional Testimony: #27757

The meeting closed at 4:35 PM.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1415
4/21/2023
Conference Committee

A BILL for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

Rep. Vetter, Chairman opened the meeting on HB 1415 at 3:00 PM. Members present: Rep. Vetter, Chairman, Rep. S. Olson, Rep. Bert Anderson; Senator Wobbema, Chairman, Senator Larson, Senator Piepkorn

Discussion Topics:

- Sexual offender data.
- Jamestown

Committee discussion.

Rep. S. Olson moved Senate recede from Senate amendments and amend as follows 23.0976.02007.

Seconded by Rep. B. Anderson

Roll call vote: 5 Yes 1 No 0 Absent

Senate Carrier: Senator Wobbema House Carrier: Rep. Vetter

The meeting closed at 3:11 PM.

Delores Shimek, Committee Clerk

April 21, 2023

MOJ
4/21/23
191

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1415

That the Senate recede from its amendments as printed on pages 1389 and 1390 of the House Journal and pages 1132 and 1133 of the Senate Journal and that Engrossed House Bill No. 1415 be amended as follows:

Page 1, line 2, after "program" insert "; and to provide for a legislative management study"

Page 1, line 6, replace "\$480,000" with "\$29,000"

Page 1, line 7, replace "a" with "any"

Page 1, line 8, remove "southeastern North Dakota"

Page 1, line 8, remove "with a population of between"

Page 1, line 9, remove "fourteen thousand and seventeen thousand residents"

Page 1, after line 15, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SEXUAL PREDATOR TASK FORCE. During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of creating a multijurisdictional sexual predator task force. The study must include input from stakeholders, including representatives from law enforcement, regarding the need for or desire to have a sexual predator task force. The study also must include an analysis of interagency coordination. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

**2023 HOUSE CONFERENCE COMMITTEE
ROLL CALL VOTES**

HB 1415 as engrossed

House Judiciary Committee

- Action Taken
- HOUSE accede to Senate Amendments
 - HOUSE accede to Senate Amendments and further amend
 - SENATE recede from Senate amendments
 - SENATE recede from Senate amendments and amend as follows:

- Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep. S. Olson Seconded by: Rep. Bert Anderson

Representatives	4/19	4/20	4/21	Yes	No	Senators	4/19	4/20	4/21	Yes	No
Rep. Vetter, Chairman	X	X	X	X		Senator Wobbema, Chairman	X	X	X	X	
Rep. S. Olson	X	X	X	X		Senator Larson	X	X	X		X
Rep. Bert Anderson	AB	X	X	X		Senator Piepkorn	X	X	X	X	
Total Rep. Vote				3	0	Total Senate Vote					

Vote Count Yes: 5 No: 1 Absent: 0

House Carrier Rep. Vetter Senate Carrier Senator Wobbema

LC Number 23.0976. . 02007 of amendment

LC Number 23.0976. . 05000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment: Put shall on study.

REPORT OF CONFERENCE COMMITTEE

HB 1415, as engrossed: Your conference committee (Sens. Wobbema, Larson, Vedaa and Reps. Vetter, S. Olson, B. Anderson) recommends that the **SENATE RECEDE** from the Senate amendments as printed on HJ pages 1389-1390, adopt amendments as follows, and place HB 1415 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1389 and 1390 of the House Journal and pages 1132 and 1133 of the Senate Journal and that Engrossed House Bill No. 1415 be amended as follows:

Page 1, line 2, after "program" insert "; and to provide for a legislative management study"

Page 1, line 6, replace "\$480,000" with "\$29,000"

Page 1, line 7, replace "a" with "any"

Page 1, line 8, remove "southeastern North Dakota"

Page 1, line 8, remove "with a population of between"

Page 1, line 9, remove "fourteen thousand and seventeen thousand residents"

Page 1, after line 15, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SEXUAL PREDATOR TASK FORCE. During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of creating a multijurisdictional sexual predator task force. The study must include input from stakeholders, including representatives from law enforcement, regarding the need for or desire to have a sexual predator task force. The study also must include an analysis of interagency coordination. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

ReNUMBER accordingly

Engrossed HB 1415 was placed on the Seventh order of business on the calendar.

TESTIMONY

HB 1415

23.0976.01000

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1415

Introduced by

Representatives Kiefert, K. Anderson, Heinert, Ostlie, Rohr, Satrom

Senators Conley, Wanzek

1 A BILL for an Act to provide an appropriation to the attorney general for a law enforcement
2 staffing grant program.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. APPROPRIATION - LAW ENFORCEMENT STAFFING GRANT PROGRAM -**
5 **ONE-TIME FUNDING.** There is appropriated out of any moneys in the general fund in the state
6 treasury, not otherwise appropriated, the sum of \$980,000, or so much of the sum as may be
7 necessary, to the attorney general for the purpose of awarding grants to a local police
8 department located in a community that has recently experienced a significant increase in the
9 number of registered sex offenders living in that community in order to hire additional law
10 enforcement staff, for the biennium beginning July 1, 2023, and ending June 30, 2025. This
11 funding is considered a one-time funding item.



JAMESTOWN POLICE DEPARTMENT

205 Sixth Street Southeast
Jamestown, North Dakota 58401
Phone 701-252-2414
FAX 701 252-7087
sedinger@jamestownnd.gov

SCOTT EDINGER
Chief of Police

January 30, 2023

North Dakota House Judiciary Committee
Rep. Lawrence R. Klemin, Chair

RE: Testimony in support of House Bill 1415

Chairman Klemin and members of the committee,

I am the Chief of Police for the City of Jamestown, and I am here to speak in obvious support for House Bill 1415.

The city of Jamestown currently holds a population of approximately 16,000 people and has fluctuated around that number or a bit less for more than 60 years. The Jamestown Police Department is staffed at 29 full-time sworn officers, down from 31 a few years ago, due to budgeting constraints. That staffing level has been steady since the early 1970s.

During that time, the training and reporting requirements, and duties of law enforcement have increased exponentially. At no time in my career have I seen a responsibility relieved from law enforcement. This legislative session is going to be no different, as several Bills have even more demands on law enforcement agencies across the state. Law Enforcement's responsibility for sex offender registration is one of those duties added during my career.

The previous Jamestown Police Department administration implemented a program to help monitor sex offender registrations in the mid-2000s that had every officer of the department monitoring a list of offenders, monthly. This program was voluntary and for its time, did a good job of building rapport and helped simplify the registration process and keep it in the front of offender's minds. This system relies heavily on the truthfulness of the offender. Time, technology, officer recruitment and retention, and case load have taken a toll on that system.

Leading up to the introduction of HB 1415, our department has done a significant amount of research on what other departments are doing and discussed ways for our department to improve its monitoring and registrations. Given our current staffing level, and complicated by the sheer number of offenders present in our city, options used by other departments aren't possible without some level of assistance.

As a department we understand the significance of the economic contribution institutions like the North Dakota State Hospital, James River Correctional Center and Sex Offender Treatment Unit provide for our city. In this case however, those contributions don't match the case load created for the Jamestown Police Department.

I ask for your support in addressing these issues through the passage of HB 1415.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Edinger". The signature is fluid and cursive, with the first name "Scott" and last name "Edinger" clearly distinguishable.

Scott Edinger
Chief of Police

House Bill 1415

A Bill for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

Issue:

The City of Jamestown has a very high number of High-Risk Sex Offenders (38), comparatively; Wahpeton has none, West Fargo has one and Mandan and Dickinson have 4-to 6 (see chart attached), creating a public safety concern. High Risk Offenders are rated, as the highest risk of re-offending. High Risk Offenders have typically committed more than one offense, have refused to engage in sex offender treatment, or have engaged in behaviors that contribute to an elevated level of risk.

The Jamestown Police Department detective and patrol divisions are overwhelmed with sex offender registrations, Sex Offender Compliance Checks and Sexual Assault and Luring investigations.

Discussion:

The North Dakota State Hospital Sexual Offender Program in Jamestown houses numerous sexually dangerous offenders, and in many cases are released back to the community. The offenders being released are not necessarily released back to the community where they were previously living or the county they were sentenced from. The sex offenders in many cases go from prison to a maximum-security sex offender unit in Jamestown, to a transitional house on the State Hospital Property and then to the community of their choosing. Currently, the City of Jamestown has within the community 85 registered offenders (38* of which are High Risk) and an additional 5 who are housed in transitional living on the State Hospital. All 90 are required to register with JPD. Several registered sex offenders are staying at budget motels paying by the month, an apartment, couch surfing or own a home. Most of these offenders are not from Jamestown. They have no connection to Jamestown other than they found housing in Jamestown because a roommate from the Sex Offender Unit or prison invited them to live with or near them in Jamestown. Almost every offender that was housed in the State Hospital Sex Offender Unit is a High-Risk offender.

Each sex offender must at a minimum come to the police department, 1, 2 or 4 times per year depending on their risk level. They must register their residence, employment, vehicle, phone number, email address, change in personal appearance (tattoos etc.), and social media accounts. Upon registering, the Jamestown Police Department has 6 police officers and detectives that are trained to register the offenders. Besides registering at the PD, the sex offenders have three days to register their change of address, their newest vehicle purchase, a new internet account they created, the second job they just obtained, etc. So, if you can imagine how many visits, they make in person to the police department to register that info; almost daily. Having 90 offenders and an arrangement of risk levels that equates to a minimum of 235 walk-ins at the PD and each registration takes anywhere between 10 min. to 45 min per offender depending on the change or if it is a new offender (fingerprinting, photos etc.). The Jamestown Police Department is also required by law to notify the public each time a high-risk offender moves to another address, which includes moving from hotel room #12 to hotel room #16 (for example) which happens on a regular basis.

Some offenders register being homeless; that offender must personally come to the police department every 3 days and register all his or her information including that he or she is still homeless. Some are living somewhere in the community, but the place they are staying doesn't want a notification on their

property or can't house a sex offender. As a public safety concern, the police are required to do compliance checks on the individual to make sure the offender is in fact homeless or living someplace else in the community. Offenders periodically fail to report they have a second job, they fail to report they own a vehicle, they fail to report they have created a new internet account (Facebook, Tik Tok, Snap chat, Grinder, Plenty of Fish), they fail to report they live within 500 ft of a school or daycare or other requirements that are required by law to report. Some don't register at all, so it is the PD who must track and find him or her. On (01-11-23) three of JPD detectives and the school resource officer were each investigating a sex crime in which a registered sex offender was their prime suspect.

The City of Jamestown has a population around 16,000 (38 High Risk Offenders). The City of Fargo has a population of 126,000 (33 High Risk offenders). The City of Bismarck has a population of 74,000 (46 High Risk Offenders). The North Dakota State Hospital Sex Offender Unit has 27 High Risk offenders.

The Problem:

The Jamestown Police Department should have a detective assigned totally to sex offender compliance, but do not have the funding, manpower, or resources. JPD would like to manage a sex offender compliance program to a group of well-versed detectives, that each can pick up a stranger's (offender's) Android phone, an iPhone or Straight Talk phone and be able to scroll through it, and to be certified to download the cell phone in which none have that training. The training and certification to download a cell phone costs \$3,850 per detective for just attending the training and does not include the equipment needed to download the cell phones which was quoted at \$27,250 for the startup costs for the first year for subscriptions and hardware. These detectives would have been able to work outside their normal duties hours to include evenings and weekends to find the offenders at home which would be overtime hours. JPD sought assistance with US Marshals service who would like to help, possibly this spring if they have the funding and manpower (which would be an isolated case). Compliance checks need to be continuous, not when outside help is available.

For most sex crime cases, harassment cases, drug cases, sex offender registration cases a cell phone, computer, and/or electronic storage device is obtained or seized, and numerous search warrants are sought to obtain the evidence with-in. When an investigation is conducted, it results in enormous amounts of data that needs to be analyzed, documented, and presented as evidence. A luring by computer or other electronic means case or a case involving the sharing of prohibited pictures of juveniles results in documents containing over 6000 pages of pictures and conversation from a single social media account. Violators take months to groom victims over the internet with months of conversations that need to be analyzed, documented, and presented by an investigator. Technology has increased capacity of cell phones and computer storage. The latest Apple iPhone 14 Pro Max has 1 TB of internal storage. To compare that is the data that would take approximate 40 Blu Ray DVDs to hold that data. Cloud based servers need search warrants to gather the evidence needed if a violator uses those platforms. Mega, a secure cloud storage provider accessible on any computer or smartphone, will provide a user with 3 TB of cloud storage for \$16/ month. 3 TB will hold 120 full-length high-definition movies or 83,000 high-definition still photos. An officer will expect to write a 10-page search warrant to start the process just to get the data. What this ultimately means is that these cases take an extreme number of hours for these heinous crimes to be investigated.

In 2022, Jamestown PD investigated 15 registered sex offenders that resulted in 38 new charges and 2 offenders with a total 4 charges still under investigation.

Solution:

Funds are needed for training, equipment, and overtime hours. The Jamestown Police Department is currently trying to create a Sex Offender Compliance Unit (SOCU). This would be a group of law enforcement officers that would be trained to track, locate, and interview the sex offender to see if they are compliant with their registration. Currently the Jamestown Police Department has 4 detectives that are well versed in all types of crimes, that include child abuse, sexual assaults, property crimes, embezzlements, scams, luring minors and these detectives are very busy with those investigations. The SOCU would require them to work outside their daily duty hours. Options considered.

- (1) Fund the police agency individually (Training, equipment, and overtime) to develop a Sex Offender Compliance Unit. Overtime rates vary. \$100,000+
- (2) Fund an investigator to be permanently assigned to sex offender compliance and sex crimes \$100,000 plus \$50,000 for a vehicle plus training \$20,000. \$170,000 total.
- (3) Fund two part-time officers to be permanently assigned to sex offender compliance and sex crimes \$100,000 plus \$50,000 for a vehicle plus training \$20,000. \$170,000 total.
- (4) Fund a multi-jurisdictional Sex Offender Compliance Unit from multiple police agencies such as Police, Sheriff, BCI and Parole and Probation. Substantial funding and regional coordination are needed with the other law enforcement agencies. Overtime rates vary.

Recommendation and Request:

The Jamestown Police Department needs financial assistance to keep pace with number of high-Risk sex offenders living within the city (see chart). We are asking for financial assistance by means of moving forward to propose a bill to the North Dakota Legislature.

Jamestown Police Department **Sex Offender Registration and Compliance Check** Calls for Service. These numbers do not include general investigations involving sex offenders.

JPD CFS (Call for service) of sex offender registrations (walk-ins) and compliance checks completed.

2019 - 1009 2020 - 954 2021 - 1022 2022 - 952

Agency	High Risk	Moderate Risk	Low Risk	No Risk Level	Lifetime Sex Offenders	Total Sex Offenders	OAC
Jamestown PD	31	33	17	4	49	85	1
ND State Hospital	27	1	0	0	28	28	0
Stutsman County SO	5	7	3	0	8	15	3
Fargo PD	33	148	123	31	70	335	21
Bismarck PD	46	119	75	11	84	251	24
Dickinson PD	5	22	21	2	12	50	4
Williston PD	7	20	19	9	10	55	7
Minot PD	8	39	37	6	14	90	8
Devils Lake PD	4	17	7	1	8	29	3
Grand Forks PD	7	34	47	10	18	98	7
Valley City PD	5	10	8	1	10	24	2
Mandan PD	6	27	24	8	17	65	3
Wahpeton PD	0	5	4	1	1	10	2
West Fargo PD	1	17	24	1	13	43	3

* Numbers of registered sex offender in every district of the state High, Medium or Low change weekly and sometimes daily.

*ND Sex Offender Unit, transitional house has 5 currently that are registered with Jamestown PD, all high risk which at the time of this report Jamestown PD High risk Offenders is 38. Jamestown PD has more high risk offenders than the ND sex offender unit.

*Not all high-risk sex offenders registered in the City of Jamestown came from the sex offender unit. Some came from Jamestown, the prison, for work and from other communities.

Thank you,

LeRoy Gross 241 1-29-23

Capt. LeRoy Gross
Jamestown Police Department
205 6th St. SE Jamestown, ND 58401
Desk 701-251-6206
lgross@jamestownnd.gov



23.0029.02003

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1279

Introduced by

Representatives Roers Jones, Heinert, Jonas, Louser, Schauer, Thomas

Senators Barta, Larson, Lee

1 A BILL ~~for an Act to amend and reenact section 65-01-15.1 of the North Dakota Century Code,~~
2 ~~relating to the presumption of compensability for firefighters and law enforcement officers.~~for an
3 Act to create and enact section 65-01-15.2 of the North Dakota Century Code, relating to
4 compensability for cardiac events for firefighters and law enforcement officers; to amend and
5 reenact sections 65-01-15 and 65-01-15.1 of the North Dakota Century Code, relating to
6 documentation required for firefighters and law enforcement officers and the presumption of
7 compensability for firefighters and law enforcement officers; to provide for retroactive
8 application; and to declare an emergency.

9 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

10 ~~— **SECTION 1. AMENDMENT.** Section 65-01-15.1 of the North Dakota Century Code is~~
11 ~~amended and reenacted as follows:~~

12 ~~— **65-01-15.1. Presumption of compensability for certain conditions of full-time paid**~~
13 ~~**firefighters and law enforcement officers.**~~

14 ~~— 1. Any condition or impairment of health of a full-time paid firefighter or law enforcement~~
15 ~~officer caused by lung or respiratory disease, hypertension, heart disease, or an~~
16 ~~exposure to a bloodborne pathogen as defined by section 23-07.5-01 occurring in the~~
17 ~~course of employment, or occupational cancer in a full-time paid firefighter, is~~
18 ~~presumed to have been suffered in the line of duty. The presumption may be rebutted~~
19 ~~by clear and convincing evidence the condition or impairment is not work-related.~~

20 ~~— 2. As used in this section, an occupational cancer is one which arises out of employment~~
21 ~~as a full-time paid firefighter and is due to injury due to exposure to smoke, fumes, or~~
22 ~~carcinogenic, poisonous, toxic, or chemical substances while in the performance of~~
23 ~~active duty as a full-time paid firefighter.~~

1 ~~3. a. A full-time paid firefighter or law enforcement officer is not eligible for the benefit~~
2 ~~provided under this section unless that full-time paid firefighter or law~~
3 ~~enforcement officer has completed five years of continuous service and has~~
4 ~~successfully passed a medical examination which fails to reveal any evidence of~~
5 ~~such a condition. An employer shall require provide at no expense, a medical~~
6 ~~examination upon employment, for any employee subject to this section.~~

7 ~~b. After the initial medical examination, an employer shall require provide at no~~
8 ~~expense, at least a periodic medical examination as follows: for one to ten years~~
9 ~~of service, every five years; for eleven to twenty years of service, every three~~
10 ~~years; and for twenty-one or more years of service, every year. The periodic~~
11 ~~medical examination, at a minimum, must consist of a general medical history of~~
12 ~~the individual and the individual's family; an occupational history including contact~~
13 ~~with and an exposure to hazardous materials, toxic products, contagious and~~
14 ~~infectious diseases, and to physical hazards; a physical examination including~~
15 ~~measurement of height, weight, and blood pressure; and laboratory and~~
16 ~~diagnostic procedures including a nonfasting total blood cholesterol test indicating~~
17 ~~cardiovascular health to a reasonable degree of medical certainty.~~

18 ~~c. If the medical examination reveals that an employee falls into a recognized risk~~
19 ~~group, the employee must be referred to a qualified health professional for future~~
20 ~~medical examination.~~

21 ~~d. If a medical examination produces a false positive result for a condition covered~~
22 ~~under this section, the organization shall consider the condition to be a~~
23 ~~compensable injury. In the case of a false positive result, neither the coverage of~~
24 ~~the condition nor the period of disability may exceed fifty-six days.~~

25 ~~e. This section does not affect an employee's responsibility to document that the~~
26 ~~employee has not used tobacco as required under section 65-01-15. Results of~~
27 ~~the examination must be used in rebuttal to a presumption afforded under this~~
28 ~~section.~~

29 ~~4. For purposes of this section, "law enforcement officer" means a person an individual~~
30 ~~who is licensed to perform peace officer law enforcement duties under chapter 12-63~~
31 ~~and is employed full time by the bureau of criminal investigation, the game and fish~~

1 department, the state highway patrol, the parole and probation division, the North-
2 Dakota state university police department, the North Dakota state college of science
3 police department, the university of North Dakota police department, a county sheriff's
4 department, a city police department, or the parks and recreation department pursuant
5 to section 55-08-04.

6 ~~5. The presumption does not include a condition or impairment of health of a full-time~~
7 ~~paid firefighter or law enforcement officer, who has been employed for ten years or~~
8 ~~less, if the condition or impairment is diagnosed more than two years after the~~
9 ~~employment as a full-time paid firefighter or law enforcement officer ends. The~~
10 ~~presumption also does not include a condition or impairment of health of a full-time~~
11 ~~paid firefighter or law enforcement officer, who has been employed more than ten~~
12 ~~years, if the condition or impairment is diagnosed more than five years after the~~
13 ~~employment as a full-time paid firefighter or law enforcement officer ends.~~

14 **SECTION 1. AMENDMENT.** Section 65-01-15 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **65-01-15. Yearly documentation required for firefighter and law enforcement officer.**

17 Except for benefits for an exposure to a bloodborne pathogen as defined by section
18 23-07.5-01 occurring in the course of employment, a full-time paid firefighter or law enforcement
19 officer who uses tobacco is not eligible for the benefits provided under ~~section~~sections
20 65-01-15.1 and 65-01-15.2, unless the full-time paid firefighter or law enforcement officer
21 provides yearly documentation from a health care provider which indicates the full-time paid
22 firefighter or law enforcement officer has not used tobacco for the preceding two years.

23 **SECTION 2. AMENDMENT.** Section 65-01-15.1 of the North Dakota Century Code is
24 amended and reenacted as follows:

25 **65-01-15.1. Presumption of compensability for certain conditions of full-time paid**
26 **firefighters and law enforcement officers.**

- 27 1. Any condition or impairment of health of a full-time paid firefighter or law enforcement
28 officer caused by lung or respiratory disease, hypertension, heart disease, or an
29 exposure to a bloodborne pathogen as defined by section 23-07.5-01 occurring in the
30 course of employment, or occupational cancer in a full-time paid firefighter, is

1 presumed to have been suffered in the line of duty. The presumption may be rebutted
2 by clear and convincing evidence the condition or impairment is not work-related.

3 2. As used in this section, an occupational cancer is one which arises out of employment
4 as a full-time paid firefighter and is due to injury due to exposure to smoke, fumes, or
5 carcinogenic, poisonous, toxic, or chemical substances while in the performance of
6 active duty as a full-time paid firefighter.

7 3. A full-time paid firefighter or law enforcement officer is not eligible for the benefit
8 provided under this section unless that full-time paid firefighter or law enforcement
9 officer has completed five years of continuous service and has successfully passed a
10 medical examination which fails to reveal any evidence of such a condition. The five
11 years of continuous service requirement may include full-time paid service outside the
12 state. An employer shall ~~require~~provide at no expense a medical examination upon
13 employment, for any employee subject to this section.

14 a. After the initial medical examination, an employer shall ~~require~~provide at no
15 expense at least a periodic medical examination as follows: for one to ten years
16 of service, every five years; for eleven to twenty years of service, every three
17 years; and for twenty-one or more years of service, every year. The periodic
18 medical examination, at a minimum, must consist of a general medical history of
19 the individual and the individual's family; an occupational history including contact
20 with and an exposure to hazardous materials, toxic products, contagious and
21 infectious diseases, and to physical hazards; a physical examination including
22 measurement of height, weight, and blood pressure; and laboratory and
23 diagnostic procedures ~~including a nonfasting total blood cholesterol test~~indicating
24 cardiovascular health to a reasonable degree of medical certainty.

25 b. If the medical examination reveals that an employee falls into a recognized risk
26 group, the employee must be referred to a qualified health professional for future
27 medical examination.

28 c. If a medical examination produces a false positive result for a condition covered
29 under this section, the organization shall consider the condition to be a
30 compensable injury. In the case of a false positive result, neither the coverage of
31 the condition nor the period of disability may exceed fifty-six days. This section

1 does not affect an employee's responsibility to document that the employee has
2 not used tobacco as required under section 65-01-15. Results of the examination
3 must be used in rebuttal to a presumption afforded under this section.

4 4. For purposes of this section, "law enforcement officer" means ~~a person~~an individual
5 who is licensed to perform peace officer law enforcement duties under chapter 12-63
6 and is employed full time by the bureau of criminal investigation, the game and fish
7 department, the state highway patrol, the parole and probation division, the North
8 Dakota state university police department, the North Dakota state college of science
9 police department, the university of North Dakota police department, a county sheriff's
10 department, a city police department, or the parks and recreation department pursuant
11 to section 55-08-04.

12 5. The presumption does not include a condition or impairment of health of a full-time
13 paid firefighter or law enforcement officer, who has been employed for ten years or
14 less, if the condition or impairment is diagnosed more than two years after the
15 employment as a full-time paid firefighter or law enforcement officer ends. The
16 presumption also does not include a condition or impairment of health of a full-time
17 paid firefighter or law enforcement officer, who has been employed more than ten
18 years, if the condition or impairment is diagnosed more than five years after the
19 employment as a full-time paid firefighter or law enforcement officer ends.

20 **SECTION 3.** Section 65-01-15.2 of the North Dakota Century Code is created and enacted
21 as follows:

22 **65-01-15.2. Presumption of compensability for cardiac events of full-time paid**
23 **firefighters and law enforcement officers.**

24 1. A heart attack, stroke, vascular rupture, or other similar cardiac event, is presumed to
25 be a compensable injury when a full-time paid firefighter or law enforcement officer:

26 a. Engages in a situation involving strenuous physical law enforcement activity, fire
27 suppression activity, or emergency response activity, or participates in a training
28 exercise involving strenuous physical activity; and

29 b. The heart attack, stroke, vascular rupture, or other similar cardiac event occurs
30 no later than forty-eight hours after the full-time paid firefighter or law

1 enforcement officer engaged or participated in the activity listed under
2 subdivision a.

3 2. The presumption under subsection 1 may be rebutted by clear and convincing
4 evidence the condition or impairment was not work-related.

5 3. This section applies to any full-time paid firefighter or law enforcement officer who has
6 less than five years of continuous service.

7 4. A full-time paid firefighter or law enforcement officer is not eligible for the benefit
8 provided under this section unless the full-time paid firefighter or law enforcement
9 officer has successfully passed a medical examination that failed to reveal any
10 evidence of a cardiovascular condition.

11 5. For purposes of this section, "law enforcement officer" means an individual who is
12 licensed to perform peace officer law enforcement duties under chapter 12-63 and is
13 employed full-time by the bureau of criminal investigation, the game and fish
14 department, the state highway patrol, the parole and probation division, the North
15 Dakota state university police department, the North Dakota state college of science
16 police department, the university of North Dakota police department, a county sheriff's
17 department, a city police department, or the parks and recreation department pursuant
18 to section 55-08-04.

19 **SECTION 4. RETROACTIVE APPLICATION.** This Act applies retroactively to a claim for
20 workers' compensation benefits filed after October 1, 2021, regardless of date of injury. A
21 full-time paid firefighter or law enforcement officer who submitted a claim for benefits between
22 October 1, 2021, and the effective date of this Act may resubmit the claim if the initial claim was
23 denied by the organization for not being a compensable injury.

24 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.

PRESS RELEASE
March 6, 2023

HIGH RISK REGISTERED SEX OFFENDER

Jamestown Police Department wants to notify Jamestown residents regarding a high risk sex offender who is residing within the city of Jamestown.

Name: Brian Keith Sternberg
Address: 1610 Business Loop E #15
 (Riverside Motel #15)
 Jamestown, ND 58401

Vehicle: None

Age: 54
Sex: Male
Race: White
Height: 5' 10"
Weight: 190
Eyes: Hazel
Hair: Brown



Mr. Sternberg has been assigned a high risk assessment by the North Dakota risk level committee, Office of the Attorney General.

Offense: Continuous Sexual Abuse of Child – Sternberg raped a pre-teen girl, encouraged another adult to have sex with her, and forced a young boy to have sex with her. **Conviction Date:** 10/13/2000 in Cass County District Court, ND. **Disposition:** 20 years; 32 days credit; consecutive.

Offense: Child Abuse – Sternberg forced a young boy to eat his own feces. **Conviction Date:** 10/13/2000 in Cass County District Court, ND. **Disposition:** 5 years; consecutive.

Offense: Corrupt/Solicitation of Minor – Sternberg went to a friend's house to collect \$20 his friend owed him. When she wasn't home, Sternberg had intercourse with his friend's 17-year-old daughter. **Conviction Date:** 05/07/1992 in Cass County District Court, ND. **Disposition:** 1 year; 11 months suspended for 2 years.

Sternberg is not wanted by police at this time and has served the sentence imposed by the court. This notification is meant for public safety and not to increase fear in the community, nor should this information be used to threaten, assault or intimidate the offender. Attempts to harass, intimidate or threaten these offenders or their families, landlords or employers will be turned over for prosecution. Printed handouts of the demographics of Mr. Sternberg are available at the Jamestown Police Department.

More information on registered offenders is available on the Attorney General's website at www.sexoffender.nd.gov/.

 Scott Edinger,
 Chief of Police



JAMESTOWN POLICE DEPARTMENT

205 Sixth Street Southeast
 Jamestown, North Dakota 58401
 Phone 701-252-2414
 FAX 701-251-6297

SCOTT EDINGER
 Chief of Police

	State ID #	Offense	County or Court of Record
1.	55343	AGGRAVATED SEXUAL ABUSE – Drug a developmentally disabled 83-year-old woman into the brush and raped her. GROSS SEXUAL IMPOSITION – Drug a woman into trees by her home and raped her.	US Federal Court Rolette
2.	99119	SEXUAL ASSAULT – Rubbed his groin against another male adult. KIDNAPPING (CHILD VICTIM) – Restrained 3 juvenile boys and attempted sexual contact with them.	Grand Forks Ramsey
3.	150783	GROSS SEXUAL IMPOSITION – Forced 9-year-old to have oral sex	Stutsman
4.	112040	GROSS SEXUAL IMPOSITION – Molested 2 juvenile girls over the course of 2 years. Force and threats were made to comply.	Pembina
5.	143896	INDECENT EXPOSURE – Exposed himself to a 12-year-old boy	Ramsey
6.	80031	CORRUPT/SOLICITATION OF MINOR – Pushed minor female to ground and had forcible intercourse with her. GROSS SEXUAL IMPOSITION – Engaged in forced sexual acts with two girls, ages 3 and 6 over a period of four years. RAPE – no details available of this offense	Cass Barnes Barnes
7.	278464	RAPE (3 RD DEGREE) – no details available of this offense	Codington, SD
	92332	GROSS SEXUAL IMPOSITION – Strangled and stabbed an 18-year-old in the back with a knife and then raped her.	Cass
9.	160669	GROSS SEXUAL IMPOSITION – Forced 10-year-old boy to engage in anal sex. Also had sexual contact with 13-year-old. GROSS SEXUAL IMPOSITION – Babysitting boys who were 4 and 6 years old. Subject inserted his fingers in the boys' anus.	Bottineau McHenry
10.	248252	SEXUAL CONTACT WITHOUT CONSENT – An adult female awoke with subject in her bed with his hands down her pants	Hughes, SD
11.	208323	GROSS SEXUAL IMPOSITION (FORCIBLE) – Exposed himself to two young boys that subject was babysitting and tried to anally penetrate one of the boys.	Rolette
12.	162108	GROSS SEXUAL IMPOSITION (2 COUNTS) – Held down a 23-year-old female and fondled her breasts and genital area. He also had sexual contact with a 14-year-old girl. GROSS SEXUAL IMPOSITION – Had oral and anal sex with 13-year-old boy on multiple occasions over the course of a summer.	Barnes Barnes
13.	134859	GROSS SEXUAL IMPOSITION (4 COUNTS) – Fondled a 10-year-old girl during two weekend family holidays	McHenry
14.	143661	GROSS SEXUAL IMPOSITION <15 YRS – Engaged in sexual contact with a 13-year-old girl. GROSS SEXUAL IMPOSITION – Forced a 10-year-old girl to have sex with him on two occasions.	Morton Ramsey
15.	147096	GROSS SEXUAL IMPOSITION – Digitally penetrated a 2-year-old girl that subject was babysitting	McHenry
	83459	CONTINUOUS SEXUAL ABUSE OF CHILD – Repeatedly raped a pre-teen girl, encouraged another adult to have sex with her and forced a young boy to have sex with her. CHILD ABUSE – Forced a young boy to eat his own feces.	Cass Cass

		CORRUPT/SOLICITATION OF MINOR – Had sex with 17-year-old daughter of a friend that owed offender \$20.00.	Cass
17.	103359	INDECENT EXPOSURE – Exposed himself to two female juveniles at a garden shop. INDECENT EXPOSURE – Exposed himself to two 11-year-old girls and then followed them to their car. INDECENT EXPOSURE – Exposed himself to a 13-year-old girl at the library. INDECENT EXPOSURE - Exposed himself to female employees of video store. GROSS SEXUAL IMPOSITION – On three different occasions, offender exposed himself to young girls at tennis court. On one occasion, offender forced an 11-year-old girl to masturbate him.	Cass Cass Cass Cass Cass
18.	77597	GROSS SEXUAL IMPOSITION – Engaged in sexual acts with two boys ages 7 and 9 and in sexual contact with one boy age 9. GROSS SEXUAL IMPOSITION – Had taken a 9-year-old boy to a park and put his hands down the boy's pant. FELONIOUS RESTRAINT – Restrained a 10-year-old boy in a store parking lot and make him undo his belt and zipper.	Burleigh Burleigh Burleigh
19.	137654	GROSS SEXUAL IMPOSITION – Had anal sex and intercourse with a 20-year-old female that was passed out. 2 ND DEGREE RAPE OF A CHILD – Fondled and had oral sex with a 12-year-old boy.	Ward Snohomish, WA
20.	142608	INDECENT EXPOSURE – Offender pulled out his penis and started to hump a girl's leg	Stutsman
21.	79071	GROSS SEXUAL IMPOSITION – Engaged in various sexual acts and sexual contact with two girls, ages 13 and 11. GROSS SEXUAL IMPOSITION – Engaged in various sexual acts with two girls, ages 5 and 3 over a 1 ½ year period.	Mercer Burleigh
22.	243877	GROSS SEXUAL IMPOSITION – Performed sexual acts on a 3-year-old female and a 6-year-old male and forced them to perform the acts on him.	Richland
23.	129075	CORRUPT/SOLICITATION OF MINOR – Had intercourse with 16-year-old female approx. 5 times in 6 months. AGGRAVATED ASSAULT – Struck a 17-year-old boy with a baseball bat on his back and face	Stutsman Stutsman
24.	218920	CARNAL KNOWLEDGE OF A JUVENILE – Had sexual intercourse and oral sex with a 16-year-old female on several occasions. INDECENT BEHAVIOR WITH A JUVENILE – Had sexual intercourse and oral sex with a 16-year-old female on several occasions. CONTR. TO DELINQUENCY OF A JUVENILE – Had sexual intercourse and oral sex with a 16-year-old female on several occasions. MOLESTATION OF A JUVENILE – Fondled the breasts and vagina of an 11-year-old female. He also made her bend over, remove her underwear and rubbed his penis on her butt.	St. Landry Parish, LA St. Landry Parish, LA St. Landry Parish, LA Acadia Parish, LA
25.	216785	GROSS SEXUAL IMPOSITION (2 COUNTS) – Engaged in a sex act with a 12 and 14-year-old female.	Stutsman
26.	217134	GROSS SEXUAL IMPOSITION < 15 YRS – Had sexual intercourse with a 14-year-old female even though she repeatedly told him to stop.	Stutsman
27.	196732	POSS OF MATERIAL -SEX CONDUCT BY MINOR – 421 images of child pornography were found on offender's phone. POSS OF MATERIAL – SEX CONDUCT BY MINOR – Seven images of child pornography were found on offender's computer. A second search found 300 plus images as well as 1,500 pages of chat logs.	Barnes Stutsman

		PROMOTE MINOR OBSCENE SEXUAL PERFORMANCE – Exchanging child pornography and chatting over the internet with a 16-year-old female.	Stutsman
28.	85034	GROSS SEXUAL IMPOSITION – Molesting a 14-year-old female for over 3 years.	Ward
29.	206076	SEXUAL IMPOSITION – Had sexual intercourse with 16-year-old female even though she told him to stop.	Burke
30.	80533	GROSS SEXUAL IMPOSITION – Fondled a 6-year-old boy in a hotel sauna where he was employed. INDECENT EXPOSURE – Exposed himself in public. GROSS SEXUAL IMPOSITION – Offered a 4-year-old boy candy if offender could lick his penis, which offender proceeded to do. CORRUPT/SOLICITATION OF MINOR – Offered candy to a 7-year-old boy for sexual favors. GROSS SEXUAL IMPOSITION – Molested a 6 and 7-year-old boy in a store bathroom on successive days.	Burleigh Burleigh Burleigh Burleigh
31.	143862	POSS OF MATERIAL – SEX CONDUCT BY MINOR – 11 files on tablet containing child pornography and chats with another person where they were exchanging sexual images of young children. GROSS SEXUAL IMPOSITION – Touched a 5-year-old female’s vagina and butt under her clothing.	Stutsman Stutsman
32.	238482	GROSS SEXUAL IMPOSITION – Had sexual contact with a 7-year-old female.	Richland
33.	194364	GROSS SEXUAL IMPOSITION (5 COUNTS) – Had sexual contact with several minor females on numerous occasions. SEXUAL ASSAULT – Had frequent intercourse with female from the age of 6 until she was 14.	Nelson Province of Saskatchewan
34.	141066	GROSS SEXUAL IMPOSITION – Had intercourse with 2 different 14-year-old girls over a three month period. GROSS SEXUAL IMPOSITION – Molested a 2 to 4-year-old boy on several occasions over two years.	Richland Richland
35.	168997	SEXUAL ASSAULT – Had intercourse with 15-year-old girl even though she told him no.	Grand Forks
36.	197042	LURING MINOR BY COMPUTER – Had sexually explicit conversations with two girls, ages 13 and 14 on Facebook. He met and had intercourse with the 13-year-old. GROSS SEXUAL IMPOSITION - Had sexually explicit conversations with two girls, ages 13 and 14 on Facebook. He met and had intercourse with the 13-year-old.	Ransom Ransom
37.	162267	GROSS SEXUAL IMPOSITION (2 COUNTS) – Met a 14-year-old female in an online chat room. Met her in person and had sexual intercourse several times. Also kissed and fondled another 14-year-old female and she touched his penis. LURING MINOR BY COMPUTER - Met a 14-year-old female in an online chat room. Met her in person and had sexual intercourse several times. Also kissed and fondled another 14-year-old female and she touched his penis.	Cass Cass
38.	104758	GROSS SEXUAL IMPOSITION – Had intercourse with 14-year-old female.	Burleigh
39.	153244	SEXUAL ASSAULT – Had a sexual relationship with a 16-year-old girl.	Burleigh
40.	118821	ATTEMPTED GROSS SEXUAL IMPOSITION – Forced a 13-year-old to the floor, removed her clothing and had intercourse with her. SEXUAL ASSAULT – Fondled a 14-year-old while at a church concert.	Cass Ramsey

House Bill 1415

A Bill for an Act to provide an appropriation to the attorney general for a law enforcement staffing grant program.

Issue:

The City of Jamestown has a very high number of High-Risk Sex Offenders (38), comparatively; Wahpeton has none, West Fargo has one and Mandan and Dickinson have 4-to 6 (see chart attached), creating a public safety concern. High Risk Offenders are rated, as the highest risk of re-offending. High Risk Offenders have typically committed more than one offense, have refused to engage in sex offender treatment, or have engaged in behaviors that contribute to an elevated level of risk.

The Jamestown Police Department detective and patrol divisions are overwhelmed with sex offender registrations, Sex Offender Compliance Checks and Sexual Assault and Luring investigations.

Discussion:

The North Dakota State Hospital Sexual Offender Program in Jamestown houses numerous sexually dangerous offenders, and in many cases are released back to the community. The offenders being released are not necessarily released back to the community where they were previously living or the county they were sentenced from. The sex offenders in many cases go from prison to a maximum-security sex offender unit in Jamestown, to a transitional house on the State Hospital Property and then to the community of their choosing. Currently, the City of Jamestown has within the community 85 registered offenders (38* of which are High Risk) and an additional 5 who are housed in transitional living on the State Hospital. All 90 are required to register with JPD. Several registered sex offenders are staying at budget motels paying by the month, an apartment, couch surfing or own a home. Most of these offenders are not from Jamestown. They have no connection to Jamestown other than they found housing in Jamestown because a roommate from the Sex Offender Unit or prison invited them to live with or near them in Jamestown. Almost every offender that was housed in the State Hospital Sex Offender Unit is a High-Risk offender.

Each sex offender must at a minimum come to the police department, 1, 2 or 4 times per year depending on their risk level. They must register their residence, employment, vehicle, phone number, email address, change in personal appearance (tattoos etc.), and social media accounts. Upon registering, the Jamestown Police Department has 6 police officers and detectives that are trained to register the offenders. Besides registering at the PD, the sex offenders have three days to register their change of address, their newest vehicle purchase, a new internet account they created, the second job they just obtained, etc. So, if you can imagine how many visits, they make in person to the police department to register that info; almost daily. Having 90 offenders and an arrangement of risk levels that equates to a minimum of 235 walk-ins at the PD and each registration takes anywhere between 10 min. to 45 min per offender depending on the change or if it is a new offender (fingerprinting, photos etc.). The Jamestown Police Department is also required by law to notify the public each time a high-risk offender moves to another address, which includes moving from hotel room #12 to hotel room #16 (for example) which happens on a regular basis.

Some offenders register being homeless; that offender must personally come to the police department every 3 days and register all his or her information including that he or she is still homeless. Some are living somewhere in the community, but the place they are staying doesn't want a notification on their

property or can't house a sex offender. As a public safety concern, the police are required to do compliance checks on the individual to make sure the offender is in fact homeless or living someplace else in the community. Offenders periodically fail to report they have a second job, they fail to report they own a vehicle, they fail to report they have created a new internet account (Facebook, Tik Tok, *pre school* Snap chat, Grinder, Plenty of Fish), they fail to report they live within 500 ft of a school or ~~daycare~~ or other requirements that are required by law to report. Some don't register at all, so it is the PD who must track and find him or her. On (01-11-23) three of JPD detectives and the school resource officer were each investigating a sex crime in which a registered sex offender was their prime suspect.

The City of Jamestown has a population around 16,000 (38 High Risk Offenders). The City of Fargo has a population of 126,000 (33 High Risk offenders). The City of Bismarck has a population of 74,000 (46 High Risk Offenders). The North Dakota State Hospital Sex Offender Unit has 27 High Risk offenders.

The Problem:

The Jamestown Police Department should have a detective assigned totally to sex offender compliance, but do not have the funding, manpower, or resources. JPD would like to manage a sex offender compliance program to a group of well-versed detectives, that each can pick up a stranger's (offender's) Android phone, an iPhone or Straight Talk phone and be able to scroll through it, and to be certified to download the cell phone in which none have that training. The training and certification to download a cell phone costs \$3,850 per detective for just attending the training and does not include the equipment needed to download the cell phones which was quoted at \$27,250 for the startup costs for the first year for subscriptions and hardware. These detectives would have been able to work outside their normal duties hours to include evenings and weekends to find the offenders at home which would be overtime hours. JPD sought assistance with US Marshals service who would like to help, possibly this spring if they have the funding and manpower (which would be an isolated case). Compliance checks need to be continuous, not when outside help is available.

For most sex crime cases, harassment cases, drug cases, sex offender registration cases a cell phone, computer, and/or electronic storage device is obtained or seized, and numerous search warrants are sought to obtain the evidence with-in. When an investigation is conducted, it results in enormous amounts of data that needs to be analyzed, documented, and presented as evidence. A luring by computer or other electronic means case or a case involving the sharing of prohibited pictures of juveniles results in documents containing over 6000 pages of pictures and conversation from a single social media account. Violators take months to groom victims over the internet with months of conversations that need to be analyzed, documented, and presented by an investigator. Technology has increased capacity of cell phones and computer storage. The latest Apple iPhone 14 Pro Max has 1 TB of internal storage. To compare that is the data that would take approximate 40 Blu Ray DVDs to hold that data. Cloud based servers need search warrants to gather the evidence needed if a violator uses those platforms. Mega, a secure cloud storage provider accessible on any computer or smartphone, will provide a user with 3 TB of cloud storage for \$16/ month. 3 TB will hold 120 full-length high-definition movies or 83,000 high-definition still photos. An officer will expect to write a 10-page search warrant to start the process just to get the data. What this ultimately means is that these cases take an extreme number of hours for these heinous crimes to be investigated.

In 2022, Jamestown PD investigated 15 registered sex offenders that resulted in 38 new charges and 2 offenders with a total 4 charges still under investigation.

Solution:

Funds are needed for training, equipment, and overtime hours. The Jamestown Police Department is currently trying to create a Sex Offender Compliance Unit (SOCU). This would be a group of law enforcement officers that would be trained to track, locate, and interview the sex offender to see if they are compliant with their registration. Currently the Jamestown Police Department has 4 detectives that are well versed in all types of crimes, that include child abuse, sexual assaults, property crimes, embezzlements, scams, luring minors and these detectives are very busy with those investigations. The SOCU would require them to work outside their daily duty hours. Options considered.

- (1) Fund the police agency individually (Training, equipment, and overtime) to develop a Sex Offender Compliance Unit. Overtime rates vary. \$100,000+
- (2) Fund an investigator to be permanently assigned to sex offender compliance and sex crimes \$100,000 plus \$50,000 for a vehicle plus training \$20,000. \$170,000 total.
- (3) Fund two part-time officers to be permanently assigned to sex offender compliance and sex crimes \$100,000 plus \$50,000 for a vehicle plus training \$20,000. \$170,000 total.
- (4) Fund a multi-jurisdictional Sex Offender Compliance Unit from multiple police agencies such as Police, Sheriff, BCI and Parole and Probation. Substantial funding and regional coordination are needed with the other law enforcement agencies. Overtime rates vary.

Recommendation and Request:

The Jamestown Police Department needs financial assistance to keep pace with number of high-Risk sex offenders living within the city (see chart). We are asking for financial assistance by means of moving forward to propose a bill to the North Dakota Legislature.

Jamestown Police Department **Sex Offender Registration and Compliance Check** Calls for Service. These numbers do not include general investigations involving sex offenders.

JPD CFS (Call for service) of sex offender registrations (walk-ins) and compliance checks completed.
2019 - 1009 2020 - 954 2021 - 1022 2022 - 952

Agency	High Risk	Moderate Risk	Low Risk	No Risk Level	Lifetime Sex Offenders	Total Sex Offenders	OAC
Jamestown PD	31	33	17	4	49	85	1
ND State Hospital	27	1	0	0	28	28	0
Stutsman County SO	5	7	3	0	8	15	3
Fargo PD	33	148	123	31	70	335	21
Bismarck PD	46	119	75	11	84	251	24
Dickinson PD	5	22	21	2	12	50	4
Williston PD	7	20	19	9	10	55	7
Minot PD	8	39	37	6	14	90	8
Devils Lake PD	4	17	7	1	8	29	3
Grand Forks PD	7	34	47	10	18	98	7
Valley City PD	5	10	8	1	10	24	2
Mandan PD	6	27	24	8	17	65	3
Wahpeton PD	0	5	4	1	1	10	2
West Fargo PD	1	17	24	1	13	43	3

* Numbers of registered sex offender in every district of the state High, Medium or Low change weekly and sometimes daily.

*ND Sex Offender Unit, transitional house has 5 currently that are registered with Jamestown PD, all high risk which at the time of this report Jamestown PD High risk Offenders is 38. Jamestown PD has more high risk offenders than the ND sex offender unit.

*Not all high-risk sex offenders registered in the City of Jamestown came from the sex offender unit. Some came from Jamestown, the prison, for work and from other communities.

Thank you,

LeRoy Gross 2211 1-29-23

Capt. LeRoy Gross
Jamestown Police Department
205 6th St. SE Jamestown, ND 58401
Desk 701-251-6206
lgross@jamestownnd.gov



During the 2023-24 interim, the legislative management shall consider studying the feasibility or desirability of allocating funds for law enforcement to improve recruitment and technology available to law enforcement, which must include:

1. Current law enforcement workforce shortages throughout the state;
2. The recruitment and retention policies of law enforcement within the state;
3. The types of equipment in use by law enforcement within the state for various monitoring of individuals sentenced to supervision;
4. The types of equipment available to assist or improve the accurate monitoring of dangerous individuals;
5. The financial costs associated with law enforcement recruitment and retention; and
6. The financial costs associated with the purchase and implementation of new technologies for improved law enforcement capabilities.

1415 80D

SECTION 1. LEGISLATIVE MANAGEMENT STUDY – LAW ENFORCEMENT STAFFING AND EQUIPMENT. During the 2023-24 interim, the legislative management shall consider studying equipment and staffing needs of law enforcement departments in the state, which must include:

1. specific and unique challenges faced by certain regions or communities, such as a large population of high-risk offenders or offenders under some form of supervision or monitoring program;
2. types of technologies available to law enforcement for the purpose of supervising or monitoring offenders; and
3. costs associated with purchase, implementation, and maintenance of those technologies available to law enforcement for supervising or monitoring offenders.

23.0976.01001
Title.

Prepared by the Legislative Council staff for
Representative Kiefert
January 30, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1415

Page 1, line 8, after the first "a" insert "southeastern North Dakota"

Page 1, line 8, after "community" insert "with a population of between 14,000 and 17,000 residents"

Page 1, line 10, after the period insert "Eligible expenditures under the program include costs related to salaries and overtime, training, and purchases of equipment for existing and newly hired law enforcement staff. The attorney general shall establish guidelines to provide grants under the program."

Renumber accordingly

Statistics from Jamestown District Parole/Probation Sex Offender Caseload (2019-2023)

April 2019 Monthly Report Sex Offender caseload

- Total 56 Active 47

April 2020 Monthly Report Sex Offender caseload

- Total 66 Active 51 Yearly change total +17.86% active +8.05%

April 2021 Monthly Report Sex Offender caseload

- Total 60 Active 49 Yearly change total -9.09% active -3.92%

April 2022 Monthly Report Sex Offender caseload

- Total 59 Active 49 Yearly change total - 1.67% active 0%

April 2023 Monthly Report Sex Offender caseload

- Total 63 Active 54 Yearly change total + 6.78% active +10.2%

Percentage change (April 2019 – April 2023)

- Total +12.5% Active +14.89%

Percentage change (April 2020 – April 2023)

- Total - 4.55% Active +5.88%

*** A client is not "active" if they are deemed an absconder, currently incarcerated or residing at NDSH.

*** Currently: 1 absconder/ 1 in jail/ 7 at NDSH

GPS - monitoring

Nelson, Jon O.

From: Miller, Casey J. <cajmiller@nd.gov>
Sent: Tuesday, April 11, 2023 8:54 AM
To: Nelson, Jon O.; Grabowska, Lonnie
Subject: HB 1415

Good morning Rep. Nelson,

I do apologize for the delay, I was actually working on a grant yesterday to include some equipment for this bill, and completely forgot to email you.

The following is what NDBCI has offered and equipped Jamestown Police Department/Stutsman County Sheriffs Department (both are in the same building along with our BCI agents). In conversations with my Sex Offender Registration supervisor, she explained she has had multiple discussions with Captain Leroy Gross at the Jamestown Police Department regarding best practices for registration, plus what is required from ND law vs. agency policies/procedures. Captain Leroy Gross spoke to the usage of extra funds (HB 1415) also going towards a task force (overtime, etc.) to do offender compliance checks/door knocks. Listed below are the equipment/resources that Jamestown PD and Stutsman County Sheriff's Department have that is directly tied to Offender Registration.

1. Electronic Registration System
 - a. Immediate submission of registration forms to BCI
 - b. Provides the ability to view the most up-to-date information on any offender, regardless of status
 - c. Automates reports and notifications pertinent to their specific agency
 - d. Displays which offenders are expected to register each month; removes from list once registered
2. Rapid ID
 - a. Provides identification on each offender within minutes
 - b. Searches for warrants (state and federal)
3. Livescan
 - a. Stutsman County Sheriff's Department and the Stutsman County Jail have a Livescan device. Jamestown PD does not currently have one. It is unclear which unit they use, when full prints are needed, but we do receive prints without issue.
4. US Marshal assistance
 - a. Have the ability to request assistance from the US Marshal's service to track non-compliant moderate or high risk offenders.

NDBCI does have a Cellebrite machine in the building and will often do cell phone extractions for the PD and SO unless it is looking like a Child Pornography material and then it is suggested that our ICAC team does this case (due to ICAC having more through knowledge and software in these cases).

What NDBCI has done as of yesterday is applying for a grant and in the grant we have requested for an additional Cellebrite UFED for a PC (to download phones and tablets) and a three year license for the device. If we are awarded this equipment, our plan would be to let the PD and SO use this equipment for assisting with the Sex Offender problem they are experiencing.

NDBCI and Captain Leroy Gross have an excellent working relationship and are always assisting each other. So if there is anything else we can do, we would be willing to do so. Please let me know if you have any questions about the above information.

Nelson, Jon O.

From: Hassebrock, Eric W. <ehassebrock@nd.gov>
Sent: Tuesday, April 11, 2023 2:14 PM
To: Nelson, Jon O.
Subject: Jamestown Sex Offender Supervision

The probation office and ND State Hospital work together to coordinate civilly committed sex offenders' releases on Community Civil Commitment status. If the individual is on GPS at NDSH, that GPS stays on the individual and the GPS account is transferred to me to supervise. I work with all area law enforcement in regard to the sex offenders (parole, probation and CCC) on my caseload. This includes verifying their conditions of supervision, whether or not they are on supervision, whether or not they are on GPS and other areas of concern or interest to law enforcement and community safety. If a situation justifies any type of parole/probation/CCC search based on information on one of my clients, I assist area law enforcement with that as well.

Please let me know if you would like any other information or need clarification on any information

Thanks Eric

1415

$\$5,075 \times 2 = \$10,150$. 2 Scanners

$\$22,100 \times 2 = \$44,200$. 2 Subscriptions

$\$3,900 \times 2 = \$19,500$ \$19,500

$\$289 \times 20 = \$5,780$ 10 officers for 2 years

\$79,630

23.0976.02006
Title.

Prepared by the Legislative Council staff for
Representative Vetter
April 20, 2023

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1415

That the Senate recede from its amendments as printed on pages 1389 and 1390 of the House Journal and pages 1132 and 1133 of the Senate Journal and that Engrossed House Bill No. 1415 be amended as follows:

Page 1, line 2, after "program" insert "; and to provide for a legislative management study"

Page 1, line 6, replace "\$480,000" with "\$50,000"

Page 1, line 7, replace "a" with "any"

Page 1, line 8, remove "southeastern North Dakota"

Page 1, line 8, remove "with a population of between"

Page 1, line 9, remove "fourteen thousand and seventeen thousand residents"

Page 1, after line 15, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SEXUAL PREDATOR TASK FORCE. During the 2023-24 interim, the legislative management shall consider studying the feasibility and desirability of creating a multijurisdictional sexual predator task force. The study must include input from stakeholders, including representatives from law enforcement, regarding the need for or desire to have a sexual predator task force. The study also must include an analysis of interagency coordination. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1415

Introduced by

Representatives Kiefert, K. Anderson, Heinert, Ostlie, Rohr, Satrom

Senators Conley, Wanzek

1 A BILL for an Act to provide an appropriation to the attorney general for a law enforcement
2 staffing grant program; and to provide for a legislative management study.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. APPROPRIATION - LAW ENFORCEMENT STAFFING GRANT PROGRAM -**
5 **ONE-TIME FUNDING.** There is appropriated out of any moneys in the general fund in the state
6 treasury, not otherwise appropriated, the sum of ~~\$480,000~~\$50,000, or so much of the sum as
7 may be necessary, to the attorney general for the purpose of awarding grants to ~~a~~any local
8 police department located in a ~~southeastern North Dakota~~ community ~~with a population of~~
9 ~~between fourteen thousand and seventeen thousand residents~~ that has recently experienced a
10 significant increase in the number of registered sex offenders living in that community in order to
11 hire additional law enforcement staff, for the biennium beginning July 1, 2023, and ending
12 June 30, 2025. Eligible expenditures under the program include costs related to salaries and
13 overtime, training, and purchases of equipment for existing and newly hired law enforcement
14 staff. The attorney general shall establish guidelines to provide grants under the program. This
15 funding is considered a one-time funding item.

16 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SEXUAL PREDATOR TASK**
17 **FORCE.** During the 2023-24 interim, the legislative management shall consider studying the
18 feasibility and desirability of creating a multijurisdictional sexual predator task force. The study
19 must include input from stakeholders, including representatives from law enforcement,
20 regarding the need for or desire to have a sexual predator task force. The study also must
21 include an analysis of interagency coordination. The legislative management shall report its
22 findings and recommendations, together with any legislation required to implement the
23 recommendations, to the sixty-ninth legislative assembly.



JAMESTOWN POLICE DEPARTMENT

205 Sixth Street Southeast
Jamestown, North Dakota 58401
Phone 701-252-2414
FAX 701 252-7087
sedinger@jamestownnd.gov

SCOTT EDINGER
Chief of Police

April 19, 2023

North Dakota House Judiciary Committee

RE: HB 1415

Chairman Klemm
Members of the Committee,

Over these last few months, many Representatives, Senators, members of the Jamestown Police Department, and various members of other organizations have testified on this bill. I feel several outside of law enforcement have testified inaccurately about what state agencies can or will do to assist the Jamestown Police Department in the duties of registering and monitoring "local" sex offenders. The truth is, many of the state agencies mentioned either would be prohibited from, untrained to, or aren't staffed to assist in this type of work.

It is true that the North Dakota Bureau of Criminal Investigations assists with some technical forensic analysis of some electronics. However, there is currently only one agent in our area trained for this type of work. BCI Agents routinely cover several counties and many have less staff and technical expertise than even the Jamestown Police Department. BCI doesn't have the resources or time for the volume of work we present.

North Dakota Probation and Parole monitors some of the activities of the offenders who are currently on probation or parole but have no interaction with those who have completed their sentence, nor would that be appropriate. Most often in our experience, Probation and Parole will not take proactive measures against an offender without criminal charges first coming from our department.

The question of local funding has been discussed during this legislative session. First, I would disagree that this is a Jamestown problem. The issues created by the enormous number of sex offenders in Jamestown mostly starts in other communities whose sex offenders decide to stay in Jamestown after they complete their sentences. The notion that the citizens of Jamestown should lift this load for the rest of the state is unreasonable. And Jamestown's tax burden is heavily residential, which makes our general fund tax revenues barely cover basic fire and police services.

Over the last decade or so, cities and counties located in a strip, west of the Red River and east of the Missouri River, have largely missed out on the benefits of the oil boom of the west and population boom of the east. In HB 1415, we are simply asking for assistance with a sex offender problem that largely starts outside of Jamestown.

Thank you for your time and consideration,

A handwritten signature in black ink, appearing to read "Scott Edinger".

Scott Edinger
Chief of Police

12.1-32-15. Offenders against children and sexual offenders — Sexually violent predators — Registration requirement — Penalty.

1. As used in this section:

a. “A crime against a child” means a violation of chapter 12.1-16, section 12.1-17-01.1 if the victim is under the age of twelve, 12.1-17-02, 12.1-17-04, subdivision a of subsection 6 of section 12.1-17-07.1, section 12.1-18-01, 12.1-18-02, 12.1-18-05, chapter 12.1-29, or section 14-09-22, subsection 3 of section 12.1-41-02, subsection 3 of section 12.1-41-03, or an equivalent offense from another court in the United States, a tribal court, or court of another country, in which the victim is a minor or is otherwise of the age required for the act to be a crime or an attempt or conspiracy to commit these offenses.

b. “Department” means the department of corrections and rehabilitation.

c. “Homeless” means an individual who is physically present in this state, but is living in a park, under a bridge, on the streets, in a vehicle or camper, or is otherwise without a traditional dwelling, and also one who resides in this state but does not maintain a permanent address. The term does not include individuals who are temporarily domiciled or individuals residing in public or private shelters that provide temporary living accommodations.

d. “Mental abnormality” means a congenital or acquired condition of an individual that affects the emotional or volitional capacity of the individual in a manner that predisposes that individual to the commission of criminal sexual acts to a degree that makes the individual a menace to the health and safety of other individuals.

e. “Predatory” means an act directed at a stranger or at an individual with whom a relationship has been established or promoted for the primary purpose of victimization.

f. “Reside” means to live permanently or be situated for a considerable time in a home or a particular place.

g. “Sexual offender” means a person who has pled guilty to or been found guilty, including juvenile delinquent adjudications, of a violation of section 12.1-20-03, 12.1-20-03.1, 12.1-20-04, 12.1-20-05, 12.1-20-05.1, 12.1-20-06, 12.1-20-06.1, 12.1-20-07 except for subdivision a of subsection 1, 12.1-20-11, 12.1-20-12.1, 12.1-20-12.2, 12.1-20-12.3 except for subdivision a of subsection 1 and subdivision b of subsection 1 if the offense involves only a demand for money, chapter 12.1-27.2, subsection 2 of section 12.1-22-03.1, subdivision b of subsection 1 of section 12.1-41-02, section 12.1-41-04, 12.1-41-05, or 12.1-41-06, or an equivalent offense from another court in the United States, a tribal court, or court of another country, or an attempt or conspiracy to commit these offenses.

h. “Sexually dangerous individual” means an individual who meets the definition

specified in section 25-03.3-01.

i. “Temporarily domiciled” means staying or being physically present in this state for more than thirty days in a calendar year or at a location for longer than ten consecutive days, attending school for longer than ten days, or maintaining employment in the jurisdiction for longer than ten days, regardless of the state of the residence.

2. The court shall impose, in addition to any penalty provided by law, a requirement that the individual register, within three days of coming into a county in which the individual resides, is homeless, or within the period identified in this section that the individual becomes temporarily domiciled. The individual must register with the chief of police of the city of the individual’s place of residence, or the sheriff of the county if the individual resides in an area other than a city. A homeless individual shall register every three days with the sheriff or chief of police of the jurisdiction in which the individual is physically present. The court shall require an individual to register by stating this requirement on the court records, if that individual:

a. Has pled guilty or nolo contendere to, or been found guilty as a felonious sexual offender or an attempted felonious sexual offender, including juvenile delinquent adjudications of equivalent offenses unless the offense is listed in subdivision c.

b. Has pled guilty or nolo contendere to, or been found guilty as a sexual offender for, a misdemeanor or attempted misdemeanor. The court may deviate from requiring an individual to register if the court first finds the individual is no more than three years older than the victim if the victim is a minor, the individual has not previously been convicted as a sexual offender or of a crime against a child, and the individual did not exhibit mental abnormality or predatory conduct in the commission of the offense.

c. Is a juvenile found delinquent under subdivision d of subsection 1 of section 12.1-20-03, subdivision a of subsection 2 of section 12.1-20-03, or as a sexual offender for a misdemeanor. The court may deviate from requiring the juvenile to register if the court first finds the juvenile has not previously been convicted as a sexual offender or for a crime against a child, and the juvenile did not exhibit mental abnormality or predatory conduct in the commission of the offense.

d. Has pled guilty or nolo contendere to, or been found guilty of, a crime against a child or an attempted crime against a child, including juvenile delinquent adjudications of equivalent offenses. Except if the offense is described in section 12.1-29-02, or section 12.1-18-01 or 12.1-18-02 and the person is not the parent of the victim, the court may deviate from requiring an individual to register if the court first finds the individual has not previously been convicted as a sexual offender or for a crime against a child, and the individual did not exhibit mental abnormality or predatory conduct in the commission of the offense.

e. Has pled guilty or nolo contendere, been found guilty, or been adjudicated delinquent of any crime against another individual which is not otherwise specified in this section if the