

2023 SENATE JUDICIARY

SB 2105

2023 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2105
1/4/2023

A BILL relating to use of wireless electronic communications devices at the department of corrections and rehabilitation, and to provide a penalty.

9:30 AM Chairman Larson called the meeting to order.
Senators Larson, Paulson, Sickler, Braunberger, Estenson, Luick and Myrdal are present.

Discussion Topics:

- Use of Tablets in DOCR
- Inmate Communications
- Committee action

9:32 AM Colby Braun, Director of Department of Corrections and Rehabilitation, introduced the bill and provided written testimony #12338.

9:35 AM Senator Myrdal moved DO PASS on SB 2105.
Senator Luick seconded the motion.

Roll call vote.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Jonathan Sickler	Y
Senator Ryan Braunberger	Y
Senator Judy Estenson	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion passed. 7-0-0

Senator Estenson will carry the bill.

9:37 AM Chairman Larson closed the meeting.

Rick Schuchard, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2105: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2105 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 HOUSE JUDICIARY

SB 2105

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

SB 2105
3/15/2023

Relating to use of wireless electronic communications devices at the department of corrections and rehabilitation; and to provide a penalty

11:05 AM Chairman Klemin opened the hearing. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Schneider, Rep. VanWinkle, and Rep. Vetter. Absent: Rep. Satrom

Discussion Topics:

- Technology changes.
- Wireless communication device monitoring.
- Unauthorized communication devices.

Chad Pringle, Warden, James River Correctional Center, ND DOCR: Testimony #24910

Carol Two Eagles: No written testimony.

The hearing closed at 11:16 AM

Rep. Vetter moved a Do Pass;
Seconded by Rep. Shannon Roers Jones

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	A
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Roll call vote: 12 Yes 0 No 1 Absent Motion carried.

Carrier: Rep. Christensen

The meeting closed at 11:19 AM.

Delores Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2105: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2105 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2105

**SENATE JUDICIARY COMMITTEE
SENATOR DIANE LARSON, CHAIR
January 4, 2023**

**NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRESENTING TESTIMONY IN SUPPORT OF SENATE BILL 2105**

Good morning, Chairwoman Larson and Members of the committee, my name is Colby Braun, and I serve as the Director of Facility Operations for the North Dakota Department of Corrections and Rehabilitation (DOCR). Senate Bill 2105 was introduced by the DOCR to amend subsection 8 of section 12-47-21 of the North Dakota Century Code relating to the use of wireless electronic communications devices at DOCR facilities.

This bill is to clean up this language because of changes to technology. Language prohibiting wireless electronic communications, except for law enforcement purposes, was added in Senate Bill 2116 in 2009. Around that time, adults in custody in DOCR prisons were allowed to purchase tablets that were used as a music player. The tablets were similar to MP3 players or original versions of an iPod, and they were not communication devices.

Since those original music players, however, we have seen a dramatic increase in technology, even in the prison system. The music player tablets have evolved to be devices that serve multiple purposes in addition to music, including learning resources and communication with friends and family. These devices are connected to a secure network with security systems for monitoring and recording all communications. The tablets provide opportunities for improved communication with family and friends, which helps with later efforts to reenter the community and find reliable housing and transportation.

The DOCR does not want to remove this subsection in its entirety because we still need the ability to prohibit unauthorized use of electronic wireless devices. Contraband like unmonitored cell phones or other communication devices can put staff, other adults in custody, or visitors in danger. The capability to monitor all communications through wireless devices is a key component of correctional safety and security.

I ask that you support the proposed bill to prohibit unauthorized wireless communication devices rather than all wireless communication devices, except those used for law enforcement purposes. This change will reflect today's technology, which improves safety in our prisons for both staff and adults in custody and provides adults in custody with opportunities to maintain their connection with their families to lower the risk they return to prison during the transition phase back to the community.

**HOUSE JUDICIARY COMMITTEE
REPRESENTATIVE LAWRENCE KLEMIN, CHAIR
MARCH 15, 2023**

**NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRESENTING TESTIMONY IN SUPPORT OF SENATE BILL 2105**

Good morning, Chairman Klemin and Members of the committee, my name is Chad Pringle and I serve as the Warden at the James River Correctional Center for the North Dakota Department of Corrections and Rehabilitation (DOCR). Senate Bill 2105 was introduced by the DOCR to amend subsection 8 of section 12-47-21 of the North Dakota Century Code relating to the use of wireless electronic communications devices at DOCR facilities.

This bill is to clean up this language because of changes to technology. Language prohibiting wireless electronic communications, except for law enforcement purposes, was added in Senate Bill 2116 in 2009. Around that time, adults in custody in DOCR prisons were allowed to purchase tablets that were used as a music player. The tablets were similar to MP3 players or original versions of an iPod, and they were not communication devices.

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