



Testimony to the
House Judiciary Committee

January 13, 2021

By Donnell Preskey, NDACo

ND Sheriffs & Deputies Association

RE: HB 1112 – Prioritization Plan - Reimbursement

Chairman Klemin and committee members, I'm Donnell Preskey with the North Dakota Association of Counties. NDACo serves many of the county member associations as well ranging from Commissioners to Sheriffs. In my role at NDACo, I serve as the executive director for the North Dakota Sheriffs and Deputies Association. The Sheriffs Association, NDACo and ND County Commissioners Association all passed a resolution supporting this legislation.

HB 1112, simply ensures that when and if the prioritization plan is in place DOCR must enter into an agreement with our county and regional facilities if they are unable to take an inmate that has been sentenced to DOCR. The agreement includes DOCR paying for the housing and medical costs incurred. This is what is fair to the taxpayers of North Dakota.

I will provide you a statewide perspective on how the prison prioritization plan has impacted our counties and why we are seeking reimbursement for when the prioritization plan is utilized in the future.

The 2017 Legislature provided NDDOCR the authority to implement a prioritization plan in order to manage the prison population. In May 2019, DOCR notified Sheriffs and Jail Administrators that the prison prioritization plan would go into effect for female inmates. It's important for you to know, these female inmates are individuals who a District Court Judge has sentenced on a state crime to the North Dakota Department of Corrections. With the prioritization plan in place – DOCR denied admission to these inmates, until DOCR's "operational capacity" allowed for their transfer. This resulted in state sentenced inmates, serving at least part of their sentence in a county facility, at the county expense – which falls on local property taxes.