



Labor and Human Rights

Support for House Bill 1443

Erica Thunder

Commissioner, North Dakota Department of Labor and Human Rights

House Judiciary Committee

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Dear Chairman Klemin and member of the House Judiciary Committee,

For the record my name is Erica Thunder and I serve as Commissioner for the North Dakota Department of Labor and Human Rights. I am testifying today in support of HB 1443.

By the very nature of the duties of the Department I lead, we are an enforcement and education agency. We enforce laws under North Dakota Century Code in both our Wage and Hour division, as well as our Housing and Human Rights division. We consider those two of the three duties we are legally required to do, and the last of those duties is to educate the public on those areas of laws. We handle complaints, claims, and cases in a variety of areas under those divisions, spanning from wage claims, to claims of discrimination based on protected categories of people engaging in protected activities (e.g. a claim of discrimination based on race while on the job).

One area our agency has been asked about often but has been unable to provide information or collect data on, is bias crimes. This is because the Department does not have a definition in North Dakota Century Code to use as "teeth" to track these types of claims when a citizen calls in to report an issue. This is extremely disconcerting to us, and especially because we are one of so few states without a definition of this type of act in our law.

As mentioned above, we are also an agency who educates on our laws. Bias crimes have come up in almost every presentation and/or educational format I have spoken in since my time as Commissioner. While I can generally speak about what that crime could look like based on nearly every other State who has this law in their books, I again, have no basis in North Dakota Century Code to speak on this area specifically. I believe this Bill fulfills both important functions at hand, it gives proper definitions to work with, along with providing a layout of how peace officers are able to be trained and go forth to use the language in this Bill.

I believe HB 1443 is a necessary Bill, and I urge the committee to give it a "Do Pass". I certainly am available at any time for further questions.

Thank you,

Erica Thunder

Erica Thunder, JD

Commissioner

North Dakota Department of Labor and Human Rights