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House Bill No. 1256
Senate Judiciary Committee
Testimony Presented by Seth O'Neill, JD, MSW
Email: soneill@cawsnorthdakota.org
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Chairwoman Larson and members of the Committee, my name is Seth O'Neill and I am representing CAWS North Dakota in opposition to HB 1256.

This bill is unnecessary because making false statements in an official proceeding is already a Class A Misdemeanor under North Dakota Century Code 12.1-11-02. Additionally, making a false report with law enforcement is already a Class A Misdemeanor under North Dakota Century Code 12.11-03. We believe creating an additional section for false statements of sexual harassment is unnecessary. Additionally, singling out victims of sexual harassment would have a chilling effect on legitimate claims. Other types of false claims are not provided with their own criminal section and it would be inappropriate to do so now.

If an individual who experienced legitimate sexual harassment is unable to substantiate their claim with outside evidence, it is possible they could be charged with this crime even though they are a victim of sexual harassment. This situation will lead to victims of sexual harassment being even more hesitant to share their experiences due to the overwhelming negative consequences it could have on them.

We encourage the committee to give HB1256 a do not pass recommendation. I appreciate your time and I am happy to answer any questions you may have. Thank you.