

March 12, 2025  
House Human Services Committee  
SB 2387  
Rep. Matthew Ruby, Chair

For the record, I am Stephanie Dassinger Engebretson. I am appearing on behalf of the Chiefs of Police Association of North Dakota. I am also the deputy director and attorney for the North Dakota League of Cities.

The Chiefs of Police are generally supportive of SB 2387 but are seeking technical amendments to the bill to ensure that everyone is on the same page with the rights that sexual violence survivors have with respect to copies of law enforcement reports. The suggested changes are on page 2 of my testimony.

The current language in the bill states that a survivor has the right to “access” the law enforcement First, from the law enforcement records processing standpoint, it’s not clear what “access” to a record means. It is much clearer to law enforcement, and congruent with the way law enforcement handles other records if this bill states that the survivor has a right to a copy of the law enforcement report.

Further, the language in the provides access to the report unless the survivor is a minor or access would hinder the investigation. There are other general laws that relate to minor victims, who are now adults having access to their reports. (See NDCC § 12.1-34-02(20)). Additionally, North Dakota’s open records laws already have an exemption for criminal intelligence while an investigation is open in order to protect those records from potentially being released and impacting the investigation. (See NDCC § 44-04-18.7). Since these provisions already exist in law, it is clearer to rely on those existing provisions of law, instead of, unintentionally, creating separate standards with relation to these law enforcement reports.

Finally, the Chiefs of Police are recommending adding that the victim has a right copy of the law enforcement report free of charge. Under North Dakota open records law, public entities can charge 25 cents a page for copies. It is my understanding that North Dakota police departments do not have a practice of charging victims for those reports; however, it seems like an important right to codify that survivors of sexual violence have a right to that report for free.

The Chiefs of Police Association of North Dakota respectfully request that the committee adopt the technical amendments to SB 2387 to ensure that everyone understands the rights associated with this bill with relation to law enforcement reports.