

March 5, 2025

SB 2051

Senate Industry and Business Committee

Chairman Longmuir and Committee Members. My name is Justin Blinsky from Jamestown, ND. I am currently an appointed volunteer board member of the ND Private Investigations and Security Board (NDPISB). I have served on this committee since being appointed by Governor Burgum in 2019. I would like to take a few moments to submit written testimony on why there is necessity for Senate Bill 2051 and to advocate for the passage of SB2051.

The NDPISB is a volunteer appointed state board which helps provide oversight, guidance, and accountability for those agencies and personnel who provide security services; private investigations; trainers of private security; and trainers of armed first responder in schools or ambulance/firefighter crew training programs. The board has one paid employee, which is Executive Director John Shorey. We also currently have at least 1 board member in the Bismarck area who volunteers his time to assist Executive Director Shorey in trying to clear the backlog.

There is no funding mechanism to support the mission of this board, so the board is completely reliant on the fees assessed to the agencies and individuals who provide these services. All board members volunteer countless hours of their own time to attend meetings, research issues coming before the board, review background/criminal history documentation of applicants, and review training curriculums related to the armed first responder program. In certain cases, board members have traveled to board functions on their own dime, so now we try to do most meetings by zoom.

The board provides a critical service to the citizens of North Dakota, as we all want to make sure the services being provided are following ND Century Code and the Administrative Rules previously approved by this legislative body. It goes without saying, but many of the functions provided by the industry we oversee can have serious consequences if it is not done right.

One of the many things that has taken up a lot of board's time is the Armed First Responders in schools or ambulance/firefighter crew training programs. As a ND citizen, father, and a first responder, I want to ensure each application has a thorough review before it is presented to the board for approval. In one such application, I spent dozens of hours going over, researching, and giving feedback on just the 1 application.

Another issue that consumes a vast majority of the boards time is incomplete or improper applications being sent to the Executive Director/NDPISB. This is extremely frustrating, as

each application requires many correspondence exchanges between the Executive Director, the agency submitting the application, and/or the applicant. In many cases, this can be related to issues that come up in background checks. If this occurs, it also requires board members to be mailed Criminal History Information (this type of information cannot be faxed or emailed). The information then must come before the board and many times requires a "Special Board Meeting" to address them. All these background checks, mailings, and agenda postings continue to cost the board money.

When I came on the board in 2019, the NDPISB was involved in litigation over issues from the Dakota Access Pipeline Protests back in 2016-2017. The court process over some of these issues has been protracted as other entities became involved, so this has created another component to the backlog. It also required Executive Director Shorey to go through and redact approximately 61,000 pages of documents. However, the NDPISB was required to be involved in this court process, as it is part of the scope of the board's duties to ensure the laws and administrative rules were followed and address those situations when they were not followed.

At the start of the backlog, the NDPISB administrative assistant left their position. E. D. Shorey tried to manage the board's office on his own, but that has not worked. A few years ago, the board advertised to hire an administrative assistant but were unsuccessful in that job market. We also have talked about trying to get software to make applications more convenient and user friendly to the industry. It is also clear, the board needs to have an administrative assistant along with the Executive Director for the board to properly function. However, at the current fee structure, that is not possible.

All these issues have continued to compound the delays which continues to perpetuate the backlog.

In the fall of 2022, we updated our administrative rules to include very nominal increases to some of the application fees we assess. We tried to do this in hopes this would give the board enough money to continue with standard board operations. However, after reviewing our current financials, unfortunately those increases were not enough.

There was also other legislation proposed earlier in this session and the feedback and direction given by a different legislative committee to Executive Director Shorey was the NDPISB should look at increases their fees as an appropriate mechanism, instead of requesting other appropriations.

During our quarterly board meeting in February, Executive Director Shorey presented the board information regarding the fees assessed to the private security and private investigations industries in 2 neighboring states and 2 states on opposite coasts of the US.

The information presented showed even if North Dakota raised their fee structure as highlighted in this bill, it would still be below the average of those 4 states in all but one category (private security officer) and even then, we were only \$2 above the average.

I appreciate the opportunity to provide written testimony and urge every committee member to give a “Do Pass” to SB 2051. Thank You for your time.

Sincerely,

Justin Blinsky

ND Private Investigations and Security Board member