

3/5/25

Chairman Beard and members of the Senate Education Committee, thank you for the opportunity to speak today in support of House Bill 1247. I am here on behalf of my daughter who has given me permission to share her story with you. The crimes committed against our daughter were premeditated, calculated, and violent causing severe traumatization to her as well as our entire family.

As our daughter prepared to enter her first year of high school, she was excited, had good friends, was involved in activities, participated in school functions, and enrolled in AP courses. She had goals and plans for her future. However, by the end of October her life had permanently changed. She had been groomed and manipulated by a classmate. She had received multiple threats from him, and had been sexually assaulted. The threats and talk of the assaults were found in text messages from her attacker. Also found in a message from her was talk about suicide because of the way the assault made her feel; this is not uncommon in victims of sexual assault. In a matter of six weeks, she went from being happy, kind, and motivated to scared, confused, ashamed, angry, anxious, and depressed. She had lost her appetite, experienced self-blame, was having flashbacks, and ultimately ended up suffering from PTSD. Many victims experience these same side effects. 40% of sexual assault victims end up suffering from PTSD.

Our daughter had a couple of classes with her offender at school. He selected her and then took time to get to know what she enjoyed and who and what was important to her. Eventually, the tone of their conversations began to change. Once he knew that he held power over her, he began working on manipulating her so that she felt that she had no choice but to comply. He developed a very complex narrative to get her to do what he wanted. He told her he had received a dare, and if she didn't do the dare with him, he would have to carry out a consequence. He told her that if she asked for help, whom ever she told would be harmed—all an elaborate lie to scare my daughter into performing sexual acts with him. There were a total of 4 dares, and each dare went further in sexual nature, as did the violence connected to the consequences. The first consequence: 1) He would have to kill one of his animals. 2) He would have to kill our dogs, skin them, and leave them on our front porch. 3) She and her brother were being followed and would be hurt. 4) He would have to kill her. Throughout these dares and assaults, he stole her voice, her choice, her dignity, sense of safety, security, self-worth, her joy, independence, and the light from her eyes vanished. He had broken her.

In the after-effects of this nightmare, our lives became very unpredictable. My husband and I reached out to professionals in the community to get the help and support we knew she needed. Regardless of the professional support, our daughter struggled to cope with the trauma that she had experienced, as many victims do, and it impacted every part of her life. There were numerous days when she wouldn't get out of bed in the morning. If she made it to school, we never knew how long she would be able to remain at school and in class – it was a common occurrence for her to walk out and sit in the office. Many days, we had to call into work to let them know that we weren't going to make it in, and there were times we had to leave at a



moment's notice if she called in a panic from school as she was suffering from incredibly high levels of anxiety and flashbacks. On other days, she would try to go to school and, on the way, experience such panic that she would ask to see her pediatrician. For the rest of her freshman year, she had a tough time being in loud and chaotic/unorganized situations. If a classroom felt crowded, she panicked and had to leave. She has always been a good student, but she struggled to complete certain assignments due to the after-effects of her experience. She had been a straight-A student for years, and while her grades were still important to her, she now struggled with anything that required memorization, organization, planning, and preparation.

In addition to the impacts on her academics, every other area of her life was also affected. Some days, she relived the assaults multiple times. When going anywhere, she now identified all her exits as she entered rooms/buildings. Her relationships suffered because she became depressed and withdrawn after being assaulted. Before the threats and assaults, she never wanted to miss school or activities. Now, she would sit in the car and cry when we arrived for school, her activities, or church. For months after the assaults, we would see a clenched face lacking emotion.

The lasting injuries and trauma from sexual assault are invisible to almost everyone who is not the victim. These injuries do not follow a prescribed timeline for healing, such as the time required for a broken bone. Instead, the scope and severity of the lasting effects of sexual abuse can be life long. One major determining factor is exposure to the individual who committed the assault. Protection orders can prevent the victim and offender from being scheduled in the same class, but in our experience did not guarantee that a minimum distance would be kept between the victim and their offender while at school. It is possible that a victim would have to pass their offender while in the hall, at lunch, going to or from the parking lot, or during other unstructured times. The thought of this caused her physical symptoms of illness as well as immeasurable panic and fear. Where else is a victim expected to possibly face their attacker on a daily basis - why of all places should it be a school where children are spending the majority of their day? How is she expected to learn and thrive in this environment? I can tell you that as an adult, I couldn't do it. We cannot expect a child to.

When a victim has been brave enough to report what happened and follow through with the court process, their assaults should be done. Sadly, this is not the case. Many experience multiple instances of revictimization, as our daughter did, including at school. She had not asked to be sexually assaulted or threatened. As a victim she had her choice stolen from her. Is she also losing her right to a public education in a safe and supportive learning environment? Is she faced with having to change schools, switching to online classes, and losing her friends and teachers who have supported her by promoting her healing and growth? She had not committed any crimes, but as the victim, she is the one being punished. How much more can a victim lose?

Students convicted of sexual assault should not be able to continue to negatively impact their victims. Victims should be given the opportunity to receive an education free of their offender. An alternative education program could be an option for a convicted offender, as long as it is not in the same building(s) where the victim attends classes. As soon as the convicted offender is

on the same grounds as the victim; the victim will experience heightened levels of anxiety, will feel unsafe, and have their education adversely affected. A victim's educational opportunities should not be narrowed nor should additional attention be brought upon the victim by any measures put in place by a safety plan. Safety plans should ensure zero contact at all times, this should include line of sight as well to prevent intimidation and fear.

I am sharing this with you today because North Dakota currently lacks protections for student survivors of sexual assault in school settings. The public education system in North Dakota already has so much on its plate, including being responsible for the social and emotional development of all children in North Dakota. How can we expect schools to manage violent criminal offenders while keeping all other students and staff safe? Student criminal offenders can be convicted of some of the most severe crimes and still be allowed to return to the same school as their victim. In this scenario, the victim is receiving a cruel punishment.

Our administrators, teachers, and support staff do not have a degree in criminal justice. All students' safety and emotional well-being should be the top priority of any educational environment. When one student has been victimized by another, especially in such a traumatic manner, it severely hinders the survivor's ability to feel safe, secure, and supported at school. Allowing the offender to continue attending the same school building poses an undue risk to the victim's mental and emotional health. It could also harm the overall atmosphere of trust and safety necessary for all students to thrive.

While details of our daughter's story may be unique, the aftermath of healing and returning the victim and offender to the same school environment are not. All victims need to heal and should have the right to attend school without fearing for their safety or losing their support system. Our current laws do not offer victims a fair chance of overcoming their trauma to work towards a thriving future. I never thought I would be standing in front of a legislative committee advocating for the rights of sexual assault victims. With that in mind, we do not know who will need this same support at the end of today, next week, or next year. I do know that victims need and deserve the opportunity to become survivors. This is only possible with the change that you, our 69th legislative assembly, can implement. Please support House Bill 1247 with a yes vote. Thank you for your time and consideration.

Alexis Dion